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Section 700.040.5, RSMo Supp. 1999, authorizes the Commission to promulgate such rules and regulations as necessary to make effective the code and provisions of sections 700.010 to 700.115. Section 700.065, RSMo 1994, requires all manufactured homes located within the state to be anchored and tied down in accordance with the standards promulgated by the Commission. The Staff memorandum demonstrates that the proposed rule is necessary to carry out the purpose of Section 700.065, RSMo 1994, and Section 700.040.5, RSMo Supp. 1999.

Pursuant to Section 536.016, RSMo Supp. 1999, a state agency is required to find, based upon substantial evidence on the record, that a proposed rule is necessary to carry out the purposes of the statute that granted the rulemaking authority. Based on reasonably available empirical data and an assessment of the cost and effectiveness of the rule, the Commission finds that the proposed amendment to rule 4 CSR 240-124.040 - Commission Approval of Manufactured Home Tie Down Systems, is necessary to carry out the purposes of Section 700.065, RSMo 1994, and Section 700.040.5, RSMo Supp. 1999.

IT IS THEREFORE ORDERED:

1. That the Staff of the Missouri Public Service Commission is directed to proceed with the necessary procedures of the Commission and applicable procedures of administrative rulemaking and may file a proposed rule in this case for the Commission's consideration.

2. That this order shall become effective on June 6, 2000.

BY THE COMMISSION

A handwritten signature in dark ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, and Drainer, CC., concur
Murray and Schemenauer, CC., absent

Woodruff, Regulatory Law Judge

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MAY 25 2000

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION