

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of a Proposed Amendment to Rule) Case No. MX-2000-589
4 CSR 240-120.100 - Code.)

ORDER DIRECTING FILING

On March 22, 2000, the Staff of the Missouri Public Service Commission (Staff) filed a motion to open a case to consider the necessity of amending 4 CSR 240-120.100 to clarify the requirements to which new manufactured homes are to be set up or installed. On April 11, 2000, the Staff filed its Motion for Finding of Necessity for Rulemaking with a memorandum attached in support of its motion.

Pursuant to Section 536.016(1), RSMo Supp. 1999, Requirements for Rulemaking, "Any state agency shall propose rules based upon substantial evidence on the record and a finding by the agency that the rule is necessary to carry out the purposes of the statute that granted such rulemaking authority." Neither the Motion to Open Case nor the Motion for Finding of Necessity reference the statute that granted the rulemaking authority. The Staff is directed to correct this deficiency.

IT IS THEREFORE ORDERED:

1. That the Staff of the Missouri Public Service Commission shall file, by June 15, 2000, a pleading which contains a reference to the statute that grants rulemaking authority in this particular instance.

2. That this order shall become effective on June 12, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Vicky Ruth, Regulatory Law Judge,
by delegation of authority pursuant
to 4 CSR 240-2.120(1) (November 30,
1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 31st day of May, 2000.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION