

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 4th
day of October, 1994.

Director of the Division of Manufactured)	
Homes, Recreational Vehicles and Modular)	
Units of the Public Service Commission,)	
)	
Complainant,)	
)	
vs.)	<u>CASE NO. MC-94-47</u>
)	
Mobile Home Estates, Inc.,)	
an Ohio Corporation,)	
)	
Respondent.)	

ORDER DENYING MOTION FOR REHEARING AND STAY

On September 9, 1994, the Commission issued a Report and Order in this case suspending the certificate of registration of Mobile Home Estates, Inc. (Estates) for one year. The Commission also authorized its General Counsel to seek penalties against Estates.

On September 15, 1994, Estates filed a motion for a rehearing and a stay of the Commission's Report and Order. Estates argues that the Commission's decision is in conflict with Sections 700.100 and 407.020, RSMo, and previous Commission orders. Estates also argues that a stay is necessary due to the tremendous and catastrophic impact of the Commission's decision on Estates. On September 26, 1994, the Staff of the Commission (Staff) filed a response to Estates' motion.

Pursuant to Section 386.500, RSMo 1986, the Commission shall grant a rehearing "if in its judgment sufficient reason therefor be made to appear." Upon review of Estates' motion, the Commission finds that there is not sufficient reason to order a rehearing. Thus, the Commission determines that Estates' motion for a rehearing should be denied.

Furthermore, the Commission finds that a stay of its Report and Order in this case is not warranted. The Commission disagrees that its Report and Order will have a tremendous and catastrophic impact as alleged by Estates. Rather, it is a reasonable sanction in consideration of the violations found in this case. Thus, the Commission determines that Estates' motion for a stay should be denied.

IT IS THEREFORE ORDERED:

1. That the motion of Mobile Home Estates, Inc. for a rehearing and a stay is hereby denied.
2. That this Order shall become effective on the date hereof.

BY THE COMMISSION



David L. Rauch
Executive Secretary

(S E A L)

Mueller, Chm., McClure, Perkins,
and Crumpton, CC., Concur.
Kincheloe, C., Dissents.