

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
November 2, 2000**

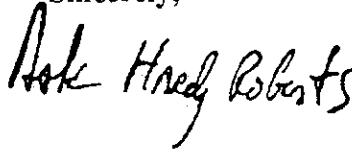
CASE NO: MX-2000-435

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, flowing style.

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 2nd
day of November, 2000.

In the Matter of a Proposed Amendment to)
Rule 4 CSR 240-124.010 - Definitions) Case No. MX-2000-435

ORDER FINDING NECESSITY FOR RULEMAKING

On January 18, 2000, the Director of the Department of Manufactured Homes and Modular Units of the Missouri Public Service Commission (Director) filed a motion asking that the Commission open a case to consider the necessity and adoption of a rule to modify 4 CSR 240-124.010 to remove references to recreational vehicles, which are no longer regulated by the Commission. On October 27, 2000, the Director filed a Motion for Finding of Necessity for Rulemaking with a memorandum attached in support of its motion.

The Director proposes that an existing rule, 4 CSR 240-124.010, be amended to remove any reference to recreational vehicles. The Director indicates that the Commission no longer regulates recreational vehicles.

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. The Staff memorandum demonstrates that the proposed rule is necessary to carry out the purpose of 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 240-124.010 - Definitions, is necessary to carry out the purposes of 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 November 12, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer, Murray, and Schemenauer, CC., concur
Simmons, C., absent

Woodruff, Senior Regulatory Law Judge

ALJ/Sec'y:

Woodruff/Bayce

10-30
Date Circulated

MX-2000-435
CASE NO.

SL pl
Lumpe, Chair

me
Drainer, Vice Chair

cm
Murray, Commissioner

RS
Schemenauer, Commissioner

absent
Simmons, Commissioner

11-2
Agenda Date

Action taken: 4-0 AA

Must Vote Not Later Than _____

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 2nd day of Nov. 2000.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge