

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
January 22, 2001**

CASE NO: MC-2000-818

Office of the Public Counsel

P.O. Box 7800
Jefferson City, MO 65102

Michael J. Havicon

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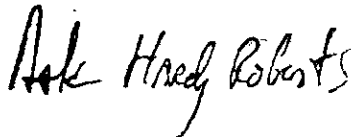
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Michael J. McAvoy

McAvoy & Bahn, L.C.
330 Water Street
Fenton, MO 63026

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

Sincerely,



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

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Director of the Division of Manufactured
Homes, Recreational Vehicles and Modular
Units of the Public Service Commission,

Complainant,

v.

Manufactured Housing Services of
Bonne Terre d/b/a Oakcreek Village of
Bonne Terre,

Respondent.

Case No. MC-2000-818

ORDER DIRECTING FILING

On December 20, 2000, the Director of the Division of Manufactured Homes, Recreational Vehicles and Modular Units of the Public Service Commission (Complainant) filed with the Missouri Public Service Commission his motion to reopen the case on the grounds that the relief he had requested in his original complaint was not granted. On December 22, 2000, the Commission entered its order granting the Complainant's motion to reopen the case. The order also established a prehearing conference and directed that the parties file a procedural schedule.

On January 10, 2001, the Complainant filed a motion to cancel the prehearing conference and the filing of a procedural schedule ordered on December 22, 2000. The Complainant suggested that a prehearing conference and the filing of a procedural schedule are unnecessary since an order of default has already been entered. Thus, according to the Complainant, there are no outstanding issues to be resolved, other than that of what sanctions the Commission would wish to impose.

Commission Rule 4 CSR 240-2.080(20) states, in part: "Every pleading ...shall include a certificate of service...." Neither of Complainant's motions complied with that part of Commission Rule 4 CSR 240-2.080(20) cited above in that neither included a certificate of service showing that Michael J. McAvoy (McAvoy) was served. McAvoy is the attorney who filed a motion for rehearing and reconsideration on behalf of the Respondent herein, Manufactured Housing Services of Bonne Terre d/b/a Oakcreek Village of Bonne Terre, on August 11, 2000.

Commission Rule 4 CSR 240-2.040(6) states: "After an attorney has entered an appearance for any party, the attorney may withdraw only by leave of the commission." The record reflects no motion for leave to withdraw filed by McAvoy.

The Commission will order the Complainant to comply with Commission Rule 4 CSR 240-2.080(20) by filing a certificate of service showing that both of its motions have been served on McAvoy.

IT IS THEREFORE ORDERED:

1. That the Director of the Division of Manufactured Homes, Recreational Vehicles and Modular Units of the Public Service Commission shall file, no later than February 1, 2001, its certificate of service, showing that its motions filed herein on December 20, 2000, and on January 10, 2001, have been served on Michael J. McAvoy, attorney for Manufactured Housing Services of Bonne Terre d/b/a Oakcreek Village of Bonne Terre.

2. That this order shall become effective on February 1, 2001.

BY THE COMMISSION

A handwritten signature in black 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)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 22nd day of January, 2001.

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 22nd day of Jan. 2001.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge