

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

July 11, 2001

CASE NO: MC-2000-660

Office of the Public Counsel

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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.

Discount Manufactured Housing, Inc.,

Respondent.

Case No. MC-2000-660

ORDER DIRECTING FILING: DEFINING FORMAT FOR LIST OF ISSUES

This order defines the format for the list of issues to be filed.

On May 15, 2001, the Missouri Public Service Commission issued its order establishing a procedural schedule. Included in that order was a requirement that the parties file a list of issues.

The Director of the Division of Manufactured Homes, Recreational Vehicles, and Modular Units and Discount Manufactured Housing, Inc., will both be required to file a list of issues, no later than July 20, 2001, in the format set forth below. The Office of the Public Counsel may file a list of issues if it desires to participate in this case, no later than July 20, 2001, in the format set forth below. The parties may, but are not required to, unanimously agree on a list of issues.

The Commission requires that the list of issues be in this format:

(1) Each party's list of issues must contain a list of one or more questions presented for decision.

(2) The questions must be stated in the following form: (i) in three separate sentences, with factual and legal premises, followed by a short question; (ii) in no more than 75 words per issue; and (iii) with enough facts woven in that the Commission will understand how the question arises in this particular case.

(3) The questions must be clear and brief, using the style of the following examples of issue statements, which illustrate the clarity and brevity that the parties should aim for:

Example A: The Administrative Procedures Act does not require the same administrative law judge to hear the case and write the final order. ABC Utility Company filed an appeal based on the fact that the administrative law judge who wrote the final order was not the administrative law judge who heard the case. Is it reversible error for one administrative law judge to hear the case and a different administrative law judge to write the final opinion?

Example B: For purposes of establishing rates, ABC Utility Company is entitled to include in its costs expenses relating to items that are used or useful in providing services to its customers. ABC Utility Company has spent money to clean up environmental damages resulting from the operation of manufactured-gas plants some 70 to 80 years ago. Should ABC Utility Company be allowed to include these expenses among its costs in establishing its future natural gas rates?

Example C: The Missouri Public Service Commission has jurisdiction over all gas and electric corporations incorporated within the state. Its jurisdiction extends to all mergers, transfers, consolidations, and the like. XYZ Utility Company, an out-of-state incorporated company, has recently merged with ABC Utility Company, a Missouri incorporated company. Given that one of the merging parties is incorporated in Missouri, does this transaction fall within the Commission's jurisdiction?

The list of issues must follow the format set forth above. No issue will be considered as properly before the Commission for resolution that has not been filed in this format.

IT IS THEREFORE ORDERED:

1. That the Director of the Division of Manufactured Homes, Recreational Vehicles, and Modular Units of the Missouri Public Service Commission and Discount Manufactured Housing, Inc., must each file a list of issues in the format set forth in this order no later July 20, 2001.
2. That if the Office of the Public Counsel participates in this case, it must file its list of issues in the format set forth in this order no later July 20, 2001.
3. That this order will become effective on July 11, 2001.

BY THE COMMISSION



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

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority under
Section 386.240, RSMo 2000.

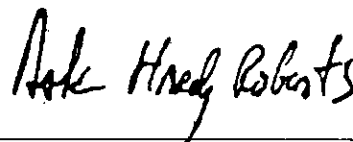
Dated at Jefferson City, Missouri,
on this 11th day of July, 2001.

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 11th day of July 2001.**



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

