

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
November 7, 2000**

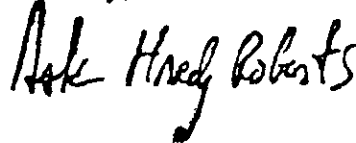
**CASE NO: MX-2000-430; MX-2000-431; MX-2000-433; MX-2000-445**

**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, slightly slanted 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 7th  
day of November, 2000.

In the Matter of a Proposed Amendment	)	
to Rule 4 CSR 240-121.050 - Inspection	)	
of Pre-owned Manufactured Homes, Rented,	)	<u>Case No. MX-2000-430</u>
Leased or Sold or Offered for Rent, Lease	)	
or Sale by Persons Other Than Dealers	)	
In the Matter of a Proposed Amendment	)	
to Rule 4 CSR 240-121.060 - Complaints	)	<u>Case No. MX-2000-431</u>
and Review of Director Action	)	
In the Matter of a Proposed Amendment	)	
to Rule 4 CSR 240-121.010 - Definitions	)	<u>Case No. MX-2000-433</u>
In the Matter of a Proposed Amendment	)	
to Rule 4 CSR 240-121.040 - Inspection of	)	<u>Case No. MX-2000-445</u>
Dealer Books, Records, Inventory and	)	
Premises	)	

**ORDER FINDING NECESSITY FOR RULEMAKING**

On January 18, 2000, the Staff of the Missouri Public Service Commission (Staff) filed a Motion to Open Case in each of the above-styled case files. On July 24, 2000, Staff filed a motion requesting that the Commission consolidate these four cases. The request was granted on October 5, 2000. On October 27, 2000, Staff filed its Motion for Finding of Necessity of Rulemaking.

Staff proposes to amend rules 4 CSR 240-121.040, 4 CSR 240-121.050, and 4 CSR 240-121.060 to replace the terms "mobile home" with "manufactured home." In addition, Staff proposes to amend rule 4 CSR 240-121.010 to reflect the removal of any reference to recreational

vehicles. Staff stated that these proposed rule amendments are necessary to provide uniformity among the rules pertaining to manufactured housing and to update each rule with current industry terminology. Staff also stated that the Commission no longer regulates recreational vehicles. Staff stated that there is no fiscal impact resulting from this proposed rule amendment.

The statutory authority for Commission rules 4 CSR 240-121.010, 4 CSR 240-121.040, 4 CSR 240-121.050, and 4 CSR 240-121.060, is Section 700.040, RSMo (Cum. Supp. 1999), which allows the Commission to promulgate rules and regulations as necessary to implement the code and the provisions of Section 700.010 to 700.115, RSMo, the act entitled Manufactured Home Standards.

The Staff memorandum demonstrated that the proposed rule is necessary to carry out the purpose of Section 700.040, RSMo (Cum. Supp. 1999). Staff assessed the effectiveness of the amendments to these rules by showing that there is a need to change the term "mobile home" to "manufactured home" and that all references to recreational vehicles should be removed from rule 4 CSR 240-121.010. Staff also demonstrated that there is no cost associated with the proposed rule amendments to the State or to private or public persons or entities that will be affected by the rule amendments.

Based upon substantial evidence on the record, the Commission finds that these proposed rule amendments to Commission rules 4 CSR 240-121.010, 4 CSR 240-121.040, 4 CSR 240-121.050, and 4 CSR 240-

121.060, are necessary to update and carry out the purposes of Section 700.040, RSMo (Cum. Supp. 1999).

**IT IS THEREFORE ORDERED:**

1. That the Staff of the Missouri Public Service Commission is authorized to complete the necessary procedures of the Commission and the applicable procedures of administrative rulemaking and may file proposed rule amendments to Commission rules 4 CSR 240-121.010, 4 CSR 240-121.040, 4 CSR 240-121.050, and 4 CSR 240-121.060 for the Commission's consideration.

2. That this order shall become effective on November 17, 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

Register, Regulatory Law Judge

P. ALJ/Sec'y: Register/Boye  
11-2 MX-2000-430  
Date Circulated CASE NO.

LA pz  
Lumpe, Chair  
ml  
Dratner, Vice Chair  
MR pz  
Murray, Commissioner  
SLG  
Schemenauer, Commissioner  
absent  
Simmons, Commissioner

11-7  
Agenda Date

Action taken: 4-0AS  
Must Vote Not Later Than \_\_\_\_\_

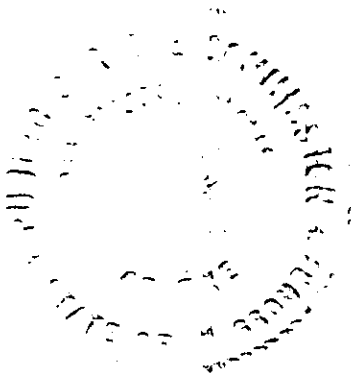
SAC

## 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 7<sup>th</sup> day of Nov. 2000.



Dale Hardy Roberts

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge