

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
March 16, 2000**

CASE NO: MX-2000-439

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 16th
day of March, 2000.

In the Matter of a Proposed New Rule 4 CSR) Case No. MX-2000-439
240-123.075 - Inspection Fee.)

ORDER FINDING NECESSITY FOR RULEMAKING

On January 18, 2000, the Staff of the Missouri Public Service Commission (Staff) filed a motion opening a case to consider the necessity and adoption of a rule to implement an inspection fee in accordance with Section 700.040, RSMo Supp. 1999. On February 14, 2000, the Staff filed its Motion for Finding of Necessity for Rulemaking with a memorandum attached in support of its motion.

Staff proposes a new rule, 4 CSR 240-123.075, to be adopted pursuant to Section 700.040, RSMo Supp. 1999, that will set inspection fees to be paid to the Manufactured Housing Fund. This fund is established by statute to the fund the costs to the Commission of administering the Commission's duties under Chapter 700 of the Revised Statutes.

The Staff memorandum demonstrates that the proposed rule is necessary to carry out the purpose of Section 700.040, RSMo Supp. 1999, and is based upon reasonably available empirical data. The Staff demonstrates the effectiveness and cost of the proposed rule to the state and to private or public persons or entities that will be affected by the rule. Specifically, the Staff demonstrates that the fee will generate revenues

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required to fund appropriation requirements and presents the anticipated fees and costs per manufactured home sold under two possible scenarios anticipated by Staff.

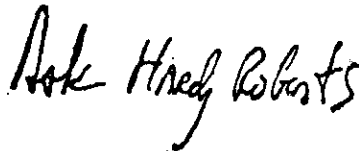
Pursuant to Section 536.016, RSMo Supp. 1999, a state agency is required to find, based upon substantial evidence on the record, that a proposed rule is necessary to carry out the purposes of the statute that granted the rulemaking authority. Based on the record, the Commission finds that the proposed new rule 4 CSR 240-123.075 - Inspection Fee, is necessary to carry out the purposes of Section 700.040, 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 March 28, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Drainer,
Murray, and Schemenauer, CC., concur.

Thornburg, Regulatory Law Judge

ALJ/Sec'y: Therndorff
 Date Circulated 3-13 4X-2000-439
 CASE NO. 439
[Signature]
 Lumpe, Chair
[Signature]
 Crumpton, Commissioner
[Signature]
 Murray, Commissioner
[Signature]
 Schenkenauer, Commissioner
[Signature]
 Drainer, Vice-Chair
3-16
 Agenda Date
 Action taken: 5-045
 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 16th day of March 2000.

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

