

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 21st  
day of June, 1995. . . .

Director of the Division of Manufactured )  
Homes, Recreational Vehicles and Modular )  
Units of the Public Service Commission, )  
Complainant, vs. AA Mobile Home Sales, )  
Inc., Respondent. )

CASE NO. MC-95-35

ORDER GRANTING MOTION FOR CLARIFICATION

On June 9, 1995, the Commission issued a Report and Order in this case suspending the certificate of registration of AA Mobile Home Sales, Inc. (AA Homes) "for a period of thirty (30) days from the effective date of [the] Report and Order or until such time as AA Mobile Home Sales, Inc. submits an application pursuant to 4 CSR 240-120.090 for approval of the alterations to the manufactured homes of Robert and Wendy Reeves, and Billy Pankey, whichever occurs first." On June 13, 1995, the Staff of the Commission (Staff) filed a motion for clarification of the Commission's Report and Order.

Staff states that the Commission's Report and Order leaves uncertainty as to the Commission's interpretation of the phrase, "... submits an application pursuant to 4 CSR 240-120.090 ...." Staff also states that clarification of said phrase is important because it could be interpreted to allow AA Homes to escape the suspension by merely filing an application regardless of whether such application was properly completed and submitted, and that under such an interpretation there is no mechanism to reinstate the suspension if the application is not completed properly. Staff suggests that the suspension be stayed when the applications are submitted and reinstated only if either application is not properly completed.

While the Commission is of the opinion that its Report and Order is clear; the confusion regarding the imposition of the suspension makes a clarification necessary. For an application to be "pursuant to 4 CSR 240-120.090", it must comply with all of the requirements of 4 CSR 240-120.090.

Nonetheless, the Commission did not intend to impose undue hardship on AA Homes by continuing the suspension while the applications were being reviewed for compliance by Staff. The suspension is to be stayed when AA Homes submits its applications for approval of the alterations to the Reeves and Pankey homes, but the stay is to be lifted if either application is rejected by Staff for noncompliance. Likewise, the suspension is to be lifted if Staff approves the applications.

**IT IS THEREFORE ORDERED:**

1. That the motion for clarification filed by the Staff of the Commission is hereby granted.
2. That the Report and Order issued by the Commission in this case on June 9, 1995, shall be interpreted as outlined in this Order.
3. That this Order shall become effective on the date hereof.

BY THE COMMISSION



David L. Rauch  
Executive Secretary

(S E A L)

Mueller, Chm., McClure,  
and Crumpton, CC., Concur.  
Kincheloe, C., Absent.