

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.) Case No. MC-91-205
Ferrell Mobile Homes, Inc.,)
Respondent.)

APPEARANCES: Larry H. Ferrell, Limbaugh, Russell & Syler, 2027 Broadway,
P.O. Box 1150, Cape Girardeau, Missouri 63702, for Ferrell
Mobile Homes, Inc.

Douglas E. Micheel, Assistant Public Counsel, P.O. Box 7800,
Jefferson City, Missouri 65102, for the Office of the Public
Counsel and the Public.

William K. Haas, Assistant General Counsel, P.O. Box 360,
Jefferson City, Missouri 65102, for the Staff of the Missouri
Public Service Commission.

HEARING
EXAMINER: Beth O'Donnell

REPORT AND ORDER

Procedural History

On November 16, 1990, the Commission's General Counsel filed a complaint against Ferrell Mobile Homes, Inc., now known as Ferrell Manufactured Housing, Incorporated, d/b/a Mobile Home Supercenter (Respondent), on behalf of the Director of the Division of Manufactured Homes, Recreational Vehicles and Modular Units of the Public Service Commission (Director or Complainant). On December 13, 1990, Respondent filed an answer to this complaint denying each and every allegation therein.

By order issued January 2, 1991, the Commission set a hearing date for this matter of February 13, 1991, which was subsequently continued to April 16, 1991, and

held on April 16 and 17, 1991 at the Commission's hearing room in the Truman State Office Building.

A timely brief was filed by Complainant and the Office of the Public Counsel (Public Counsel) pursuant to a schedule established by the hearing examiner. Complainant and Public Counsel filed motions to strike Respondent's late-filed brief which were denied by the Commission. Reply briefs were filed by Complainant and Public Counsel on July 15, 1991.

The Commission reserved ruling on the admission into evidence of Exhibits 15 through 23, both inclusive, and Exhibit 26, pending the receipt of three copies of these exhibits as required by the Commission's rules of procedure. Since the required copies have now been submitted to the hearing examiner and there are no objections outstanding as to these ten exhibits, they will be received by the Commission.

Findings of Fact

The Missouri Public Service Commission, having considered all the competent and substantial evidence on the whole record, makes the following findings of fact.

This complaint consists of four counts. In the first count Complainant alleges that Respondent altered a manufactured home without the Director's authorization so that the home was in violation of the code.

A. Count I

Complainant states that Respondent sold a certified new 1990 Fleetwood Oakgrove double-wide manufactured home (Home) to Gene and Sue Laster (Lasters) from Respondent's sales lot in Poplar Bluff, Missouri. As part of this sale, Respondent replaced the gas furnace in the Home with an electric furnace and replaced the 100 amp breaker panel with a 200 amp breaker panel. In addition, Complainant states that the roof of the Home was repaired by Starkey Mobile Home Service (Starkey) since it was damaged when transported by Starkey to the occupancy site. Complainant states

that the Director's inspection revealed that the rafter repairs did not meet the standard set forth in the drawing of the rafter system approved for this Home by the Design Approval Primary Inspection Agency (DAPIA) which certified the rafter system for the manufacturer on behalf of the United States Department of Housing and Urban Development (HUD).

Complainant states that Respondent not only failed to request the Director's approval before making these alterations, but only submitted an incomplete application for approval of the modification to the furnace and breaker box after the filing of this complaint. In response to the Director's instructions, Respondent submitted to the Director the manufacturer's guidelines for altering the Home's electrical system and a letter from a master electrician stating that the master electrician had inspected the Home and found it in compliance with the standards established by HUD.

Since the master electrician billed Respondent for a piece of conduit which is a protective piping for exposed wires, the Complainant argues that the Home had not been in compliance prior to its inspection by the master electrician. The Director testified that he observed, during his inspection of the Home on November 7, 1990, prior to the inspection by the master electrician, that electric wires in the wall switch and overhead light in the bedroom of the Home were black from sparking.

The Commission's rule, 4 CSR 240-120.090, promulgated by the Commission pursuant to Section 700.040, RSMo Supp. 1990, provides, in pertinent part, that no new manufactured home on which an alteration has been made shall be sold in this state unless such alteration has been approved in writing by the Director. This rule also provides, in pertinent part, that the Director's approval be requested by a written application which shall include an affidavit of the Applicant, or his authorized representative if the Applicant is a corporation, certifying that the alteration complies with the federal standards.

Section 700.025, RSMo 1986, provides, in pertinent part, that no person shall alter or cause to be altered any manufactured home to which a seal has been affixed if such alteration or conversion causes the home to be in violation of the code. The code is defined in Section 700.010(2), RSMo 1986, as the standards relating to manufactured homes as adopted by this Commission. The Commission adopted the federal standards for manufactured homes promulgated by HUD, 24 CFR 3280 (formerly 24 CFR 280), in its rule, 4 CSR 240-120.100.

Respondent admits that a dealer is required to obtain approval from the Director before making alterations. However, the Respondent argues that prior approval is required only if the alteration takes the home out of compliance with the code. Further, Respondent argues that it is not responsible for the rafter repairs since Starkey performed the rafter repairs and not Respondent. Respondent states that when it discovered that the Lasters were not satisfied with the repairs performed by Starkey, Respondent offered to fix the Home to the Lasters' satisfaction and called the Director asking him to inspect the Home to ensure that it was properly repaired. Respondent argues that it is unreasonable to think that he would invite the inspection of the Director if he were attempting to violate a statute, a statute of which he admittedly had no knowledge at that time. Therefore, Respondent asserts that he was not in violation of either the statute or the rule regarding alterations since the alterations were either not out of compliance with the code or were not his doing.

The Commission determines that Respondent is in violation of the requirement to obtain the Director's authorization to alter a manufactured home. The Respondent is incorrect in asserting that he is in violation of the requirement to obtain the Director's authorization only if the alteration results in the home being out of compliance with the code. The purpose of the rule is to ensure that alterations are made in compliance with the code. If there were no requirements to

obtain the Director's authorization, there would be no means of ensuring that alterations were made in compliance with the code.

Furthermore, the Commission finds that the alteration of the furnace and breaker box was not in compliance with the code since the Director's inspection on November 7, 1990, revealed blackened wires in the Home as a result of sparking and the Respondent himself admits that the master electrician who ultimately inspected the Home charged him for conduits. The Respondent testified that conduits are protective piping used to shield electrical wires. Therefore, the Commission finds that Respondent altered the Home so that it was no longer in compliance with the code.

The evidence also indicates that Respondent was involved in the repair of the roof of the Home. Respondent arranged for the Home to be transported and setup at the occupancy site by Starkey, an independent contractor. During the transportation of the Home to the occupancy site by Starkey, it was damaged and Respondent assured the Lasters that Starkey would repair the damage. When the Lasters were dissatisfied with the repair of the roof, Respondent assured the Lasters that Respondent would, if need be, fix the roof to the satisfaction of the Lasters.

Only after a complaint by the Lasters brought the matter to the attention of the Director, did Respondent request that the Director inspect the roof repairs. Upon inspection, the Director discovered that the roof was not repaired to the standards approved by DAPIA on behalf of HUD.

Section 700.100(3), RSMo 1986, provides that the dealer must arrange for the proper initial setup of the home unless the dealer receives a written waiver of that service from the purchaser and deducts from the total cost an amount equal to the cost of setup. Section 700.010(12), RSMo 1986, defines setup to include moving the mobile home. The damage to the roof occurred in the moving of it to the occupancy site by Starkey. Respondent did not obtain waiver of this service from the

Lasters nor did he deduct from the total cost an amount equal to the cost of setup. Respondent did not divest itself of responsibility for moving the Home and it demonstrated that responsibility by assuring the Lasters that the roof would be fixed to their satisfaction. Therefore, the Commission finds that Respondent caused the Home to be altered so that it was no longer in compliance with the code.

Based upon the Commission's finding that Respondent has violated the requirement of the Commission's rule that the Director's approval be obtained for alteration of a certified manufactured home, and upon the Commission's finding that Respondent is in violation of Section 700.025, RSMo 1986, in that Respondent altered a manufactured home so that it was not in compliance with the code, the Commission will invoke penalties as set forth hereinafter.

B. Count II

Complainant states that Respondent failed to arrange for the proper initial setup of the Home sold to the Lasters as required by Section 700.100(3)(6), RSMo 1986. As noted above, Section 700.100(3), RSMo 1986, provides, in pertinent part, for the suspension, revocation, or placing on probation of a dealer's registration when the dealer fails to arrange for the proper initial setup of any new manufactured home sold in the State of Missouri, unless the dealer receives a written waiver of that service from the purchaser and an amount equal to the actual cost of the setup is deducted from the total cost of the manufactured home.

Section 700.010(12), RSMo 1986, defines setup to mean the operations performed at the occupancy site which render a manufactured home fit for habitation including, but not limited to, moving, blocking, leveling, supporting, and assembling multiple or expandable units. Section 700.065, RSMo 1986, provides, in pertinent part, that all manufactured homes located in the state shall be anchored and tied down in accordance with the standards promulgated by the Commission. The Commission's Rule, 4 CSR 240-124.050 adopts the federal standards set out at

24 CFR 3280.306 for tie down systems (formerly 24 CFR 280.306). The federal standards provide that the manufacturer of each manufactured home make provision for the support and anchoring of the home with printed instructions provided with each home, including drawings, for the proper use of such systems.

As noted previously, the Lasters did not waive initial setup of the Home and Respondent did not deduct an amount equal to the actual cost of the setup from the total cost of the Home.

The evidence indicates that on November 7, 1990, the Director inspected the setup and anchoring of the Laster Home and found that it did not comply as to seven specifications with the manufacturer's instructions for the setup and anchoring of the Home. The evidence shows that when the Director reinspected the Home on January 31, 1991, two of the specifications had not been corrected at all and one had been only partially corrected. The Director inspected the Home for a third time on March 21, 1991, finding that the anchoring of the Home still did not completely meet the manufacturer's specifications.

Respondent argues that it is not responsible for the proper setup of the Home since an independent contractor, Starkey, transported the Home to the occupancy site and set it up. Respondent further argues that it had no reason to doubt the competence of Starkey in setting up this Home since Starkey had set up approximately 100-125 homes for Respondent in the past and has set up mobile homes for other dealers for approximately 15 years. Respondent states that since he has never received a complaint about the way Starkey has set up manufactured homes, he had no reason to doubt Starkey's competence.

Respondent argues that the statute requiring the dealer to arrange for the proper initial setup of the home is merely a consumer awareness statute so that the consumer knows that he need not purchase the setup service from the dealer. Respondent asserts that the statute would use the verb, "ensure" if the legislature

meant to hold the dealer responsible for the setup when the setup was performed by an independent contractor.

Respondent also argues that there is no definition in Chapter 700, RSMo 1986, as amended, by which to judge what is meant by the words "proper setup." Respondent asserts that there is no basis for the Director's construction that the standard to be applied to proper setup should be the manufacturer's instructions. Finally, Respondent argues that the Director used the setup instructions for a Fleetwood Crystalwood Model No. 4483B when he should have used instructions for a Fleetwood Oakgrove Model No. 4483.

The Commission determines that Respondent violated the requirement that the dealer arrange for the proper initial setup of a new manufactured home sold in the State of Missouri. Respondent did not deduct the cost of setup from the sale price and the purchaser did not waive this service. Therefore, under Section 700.100, RSMo 1986, the dealer is responsible for proper initial setup. There is no basis for stating that a dealer may relieve himself of this responsibility by hiring an independent contractor. There is no basis for stating that a dealer may discharge this responsibility by selecting an independent contractor with a good reputation for setting up manufactured homes. The plain language of Section 700.100, RSMo 1986, requires the dealer to "...arrange for the proper initial setup...". Failing to do so is grounds for the suspension, revocation or placing on probation of the dealer's registration. The seriousness of the punishment underlines the gravity of the failure.

The proper setup required by the statute has been established by the Director to be the manufacturer's instructions for the setup and anchoring of the manufactured home. The Commission determines that this is a reasonable method of establishing the standard since the federal standards adopted by the Commission often direct the manufacturers to develop suitable standards. For example, the Commission

has adopted HUD's standards for tie-downs and anchors which direct that the manufacturer establish a suitable system and instructions for tie-downs and anchors.

The Commission is not persuaded that the Director used the "wrong" setup instructions since Respondent admitted that the copy of the instructions used by the Director, as set out in Attachment C to Exhibit 1, is a true and correct copy of the manufacturer's setup instructions for the Laster's Home. Further, the Director testified that there may be the same anchoring instructions for different models.

The evidence indicates that Respondent did not arrange for a proper initial setup since the Director found innumerable deficiencies in the initial setup and anchoring of the Laster Home compared to the requirements set forth in the manufacturer's instructions. Therefore, the Commission will invoke penalties against the Respondent for its failure to arrange for proper initial setup as set forth hereinafter.

C. Count III

Complainant states that Respondent operated a manufactured home sales lot at 902 South Kingshighway in Cape Girardeau, Missouri, beginning in June or July of 1990, but did not register this lot with the Commission until after January 15, 1991, in violation of Section 700.090, RSMo 1986.

Section 700.090, RSMo 1986, provides, in pertinent part, that every dealer in manufactured homes who sells or offers for sale a manufactured home in the State of Missouri shall register with the Commission. This section further provides, in pertinent part, that the Commission shall issue a certificate of registration to a dealer who, *inter alia*, provides the Commission with the business address of the dealer and the addresses of each separate facility owned and operated by the dealer from which manufactured homes are offered for sale, if different from the business address of the dealer.

Section 700.455, RSMo Supp. 1990, provides, in pertinent part, that Applicant's place of business must be certified as a bona fide established place of business for selling manufactured homes either by a uniformed member of the Missouri State Highway Patrol or an officer of a metropolitan police department depending on the location of the lot. The Commission's rule, 4 CSR 240-120.060, provides, in pertinent part, that the books, records, inventory and premises of a dealer in new manufactured homes shall from time to time during normal business hours be subject to an inspection by the Director to ascertain if the dealer is complying with the provisions of Chapter 700, RSMo 1986, as amended, and to ascertain if grounds exist pursuant to Chapter 700, RSMo 1986, as amended, to refuse to renew, suspend, revoke or place on probation the dealer's registration.

The Respondent argues that Section 700.090, RSMo 1986, requires that a dealer be registered, but not his lots. Respondent states that while Section 700.090, RSMo 1986, requires a dealer to provide the location of separate facilities in order to be registered, each separate facility does not itself have to be registered. Respondent notes that it registered as required in January, 1990, and again in January, 1991. Since it did not purchase the Cape Girardeau lot until June of 1990, Respondent states it did not list that lot until registering in January, 1991.

The Commission is of the opinion that Respondent is not explicitly required to supplement its registration when it establishes a new lot between registration dates. Since the dealer's lots must be certified by the State Highway Patrol or a metropolitan police officer pursuant to Section 700.455, RSMo Supp. 1990, and inspected from time to time by the Director pursuant to the Commission's rule, 4 CSR 240-120.060, the Commission believes that good policy dictates that such a requirement be made explicit. However, the Commission notes that Section 700.090(4), RSMo 1986, provides, in pertinent part, that the dealer shall update information

given on the initial form when he reregisters a year later. Based on this statutory provision, and in the absence of a rule requiring updates prior to reregistration, the Commission is of the opinion that Respondent need not have supplemented the information prior to reregistration.

Thus, the Commission finds that Respondent has not violated the requirements of Section 700.090, RSMo 1986, in not supplementing its registration as to the lot in Cape Girardeau and, therefore, the Commission will not invoke penalties against Respondent on this count.

D. Count IV

Complainant states that Respondent has failed to file monthly reports with the Commission when due in violation of Section 700.460, RSMo 1986, and the Commission's rule, 4 CSR 240-120.130.

Specifically, Complainant states that no monthly reports were filed when due in 1989 from Respondent's six lots. After repeatedly requesting compliance from the Respondent, the Director informed the Respondent in January 1990, that he would seek permission from the Commission to refuse to register all of the lots that did not report in 1989. Complainant states that Respondent then did file the reports due for all its lots, except the one in Benton.

Complainant further states that Respondent did not file any more reports until August 1990, when the Director informed Respondent of his intentions to file a complaint with the Commission. Complainant states that once again Respondent filed reports for all lots, except the one in Benton. Monthly reports were not received from the Benton lot until December, 1990, after this complaint was filed, when the reports for August through November, 1990, were received.

Complainant asserts that Respondent is in a dispute with the Department of Revenue over its sales tax liability and Respondent's monthly reports could aid the Department of Revenue in its investigation.

Section 700.460, RSMo 1986, requires, in pertinent part, that each registered manufactured home dealer file monthly reports with the Commission containing the information the Commission requires. The Commission's rule, 4 CSR 240-120.130, outlines the information which a dealer must file and the form and manner of the filing which must be submitted no later than the tenth of the month following the month in which the sales reported were made. The rule also provides that failure to properly complete this monthly report and submit it by the due date could result in suspension or revocation of a dealer's registration.

Respondent admits that it failed to file timely reports, but argues that the information contained in the monthly reports, which is a matter of public record, aids its competitors. In addition, Respondent questions the usefulness to the Commission of the information contained in the monthly reports. Respondent acknowledges that it has violated the requirement, but believes any punishment for this violation should be mitigated by consideration of these reasons which motivated Respondent's reluctance to file.

The Commission determines that Respondent violated the requirement to file monthly reports pursuant to Section 700.460, RSMo 1986, and the Commission's Rule, 4 CSR 240-120.130. Respondent admits his failure to file the reports as required and, therefore, the Commission will invoke penalties against Respondent as set forth hereinafter. Disagreement with the statutory requirement does not excuse its violation.

Conclusions of Law

The Missouri Public Service Commission has arrived at the following conclusions of law.

Respondent is a dealer in manufactured homes subject to the jurisdiction of this Commission pursuant to Chapter 700, RSMo 1986, as amended. The Commission has found that Respondent violated the requirements of Sections 700.025 and 700.045, RSMo

1986, as well as the Commission's rule, 4 CSR 240-120.090, promulgated to enforce Sections 700.025 and 700.045, RSMo 1986, in that Respondent altered a certified manufactured home without the approval of the Director and in violation of the code. The Commission has further found that Respondent violated the requirements of Section 700.100, RSMo 1986, in that it failed to arrange for the proper initial setup of a new manufactured home sold in the State of Missouri even though the purchaser had not waived the service and Respondent had not deducted the cost of the service from the total cost of the home.

In addition, the Commission has found that Respondent violated Section 700.460, RSMo 1986, and the Commission's rule, 4 CSR 240-120.130 in that he failed to file timely monthly reports. Finally, the Commission found that penalties should be invoked against Respondent as a consequence of these violations.

Complainant requests that the Commission suspend the operation of Respondent's Poplar Bluff and Benton lots for a period of fourteen (14) days each. The Laster Home, which was illegally altered and improperly setup, was sold from the Poplar Bluff lot and the Benton lot is the location of Respondent's headquarters.

Complainant and Public Counsel argue that the fourteen-day suspension of the Poplar Bluff and Benton lots will serve as a deterrent to Respondent and other dealers in Missouri who disregard the law and as an indication to the public that the Commission is committed to maintaining integrity in the selling of manufactured homes.

Section 700.100, RSMo 1986, authorizes the Commission to suspend, revoke or place on probation a dealer's registration for: failing to arrange for the proper initial setup of any new manufactured home sold in the State of Missouri unless the dealer receives a waiver of that service from the purchaser and deducts the actual cost of the setup from the total cost of the home as required by Section 700.100, RSMo 1986; and violating Section 700.045, RSMo 1986, which forbids alteration of a

manufactured home in a manner prohibited by the provisions of Sections 700.010 to 700.115, RSMo 1986, as amended, which includes Section 700.025, RSMo 1986, which forbids any person to alter or cause to be altered any manufactured home to which a seal has been affixed if such alteration causes the manufactured home to be in violation of the code which the Commission has adopted by its rule, 4 CSR 240-120.100. Section 700.100, RSMo 1986, also authorizes the Commission to refuse to register or refuse to renew the registration of any person who fails to comply with any of the provisions of Section 700.100, RSMo 1986.

Section 700.470, RSMo 1986, authorizes the Commission to refuse to register an applicant for registration, or to suspend the registration of an existing dealer from one to thirty days or revoke the registration of a dealer after a written notice and hearing when the dealer has failed to comply with the provisions set out in Sections 700.450 to 700.470, RSMo 1986, as amended, including Section 700.460, RSMo 1986, which requires a person registered as a dealer to file monthly reports with the Commission.

The Commission's rule, 4 CSR 240-120.130 provides, in pertinent part, that failure to properly complete and submit the monthly report by the due date could result in suspension or revocation of the dealer's registration.

Section 700.115(2), RSMo 1986, provides, in pertinent part, that violators of Chapter 700, RSMo 1986, as amended, be liable to the State of Missouri for a civil penalty in an amount not exceeding \$1,000 for each violation with each failure or refusal to allow or perform an act required by this chapter constituting a separate violation and with the maximum civil penalty not exceeding \$1 million for any related series of violations occurring within one year from the date of the first violation.

Respondent argues that the Commission should impose a minimal sanction since the Commission has never before filed a complaint against a dealer in manufactured homes and fairness requires that the first Respondent be treated with

leniency. The Respondent notes that the Director has admitted that he made his recommendation of suspension without considering such factors as the direct economic impact of this action on Respondent; Respondent's thirty-six years of service to the public in the State of Missouri; the effect of a suspension on Respondent's employees; and the effect on Respondent's reputation for honesty and fair dealing. Respondent testified that the direct economic impact of the suspension would be approximately \$38,800 and that twelve employees would be out of a job for the period of the suspension since Respondent could not afford to pay them during the suspension.

Based upon its findings and the penalties authorized by Chapter 700, RSMo 1986, as amended, and the Commission's rules, as well as the arguments of the parties, the Commission concludes that Respondent's registration should be suspended for twelve days as to the operation of the lots in Benton and Poplar Bluff. The Commission is persuaded by Complainant that Respondent must come to realize the importance of operating in conformance with the laws and regulations which govern the operation of its business. These laws and regulations are the policy of the people of this state and the United States as expressed through their elected representatives for the protection of purchasers of manufactured housing. However, the Commission notes that this is the first complaint brought against a dealer in manufactured homes since the Commission received regulatory oversight in this industry. The Commission is committed to the strict but fair enforcement of the requirements of Chapter 700, RSMo 1986, as amended, and the Commission's rules. Therefore, the Commission will suspend execution of all but one day of this penalty so that the lots in Benton and Poplar Bluff shall be suspended from operation for one day each.

The Commission further concludes that Respondent's registration should be placed on probation until the time for renewal of Respondent's registration in

January of 1992. The Commission will order the Director to report to the Commission no later than January 3, 1992, as to Respondent's behavior in conforming completely at all times to all the requirements of Chapter 700, RSMo 1986, as amended, and the Commission's rules. The Commission believes that suspending Respondent's operations for one day each at its lots in Benton and Poplar Bluff, and placing Respondent on probation for approximately five months with the threat of reinstatement of the full suspension or nonrenewal of Respondent's registration, will convince Respondent and other dealers in the sale of manufactured homes that neither ignorance of, nor disregard for, the statutes and the rules will be tolerated.

IT IS THEREFORE ORDERED:

1. That the certificate of registration of Ferrell Mobile Homes, Inc., now known as Ferrell Manufactured Housing, Incorporated, d/b/a Mobile Home Supercenter, be suspended hereby for a period of twelve (12) days as to the operation of its lot in Benton, Missouri, and its lot in Poplar Bluff, Missouri, with suspension of the execution of the penalty as to eleven (11) of those days, so that neither lot may operate during a twenty-four-hour period on a date to be selected by the Director of the Commission's Division of Manufactured Homes, Recreational Vehicles and Modular Units.

2. That the certificate of registration of Ferrell Mobile Homes, Inc., now known as Ferrell Manufactured Housing, Incorporated, d/b/a Mobile Home Supercenter, be placed on probation hereby until January 15, 1992, unless otherwise ordered by the Commission.

3. That the Director of the Commission's Division of Manufactured Homes, Recreational Vehicles and Modular Units be directed hereby to report to this Commission no later than January 3, 1992, on the compliance of Ferrell Mobile Homes, Inc., now known as Ferrell Manufactured Housing, Incorporated, d/b/a Mobile Home Supercenter, with the requirements of Chapter 700, RSMo 1986, as amended, and the

Commission's rules regulating the conduct of dealers in manufactured homes at which time the Commission will consider whether to reinstate the full twelve-day suspension invoked but suspended herein or whether not to renew the registration of Ferrell Mobile Homes, Inc., now known as Ferrell Manufactured Housing, Incorporated, d/b/a Mobile Home Supercenter.

4. That Exhibits 15 through 23, both inclusive, and Exhibit 26 be received into evidence hereby.

5. That any objections not heretofore ruled upon be overruled hereby and any outstanding motions be denied hereby.

6. That this Report and Order shall become effective on the 20th day of August, 1991.

BY THE COMMISSION

Brent Stewart

Brent Stewart
Executive Secretary

(S E A L)

Steinmeier, Chm., Rauch and
McClure, CC., Concur and certify
compliance with the provisions
of Section 536.080, 1986.
Mueller and Perkins, CC., Absent.

Dated at Jefferson City, Missouri,
on this 7th day of August, 1991.