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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 15th  
day of April, 1999.

|                                          |   |                           |
|------------------------------------------|---|---------------------------|
| Director of the Division of Manufactured | ) |                           |
| Homes, Recreational Vehicles and Modular | ) |                           |
| Units of the Public Service Commission,  | ) |                           |
|                                          | ) |                           |
| Complainant,                             | ) |                           |
|                                          | ) |                           |
| v.                                       | ) | <u>Case No. MC-99-221</u> |
|                                          | ) |                           |
| Lake Area Development Co. Inc.           | ) |                           |
| DBA Factory Direct Manufactured Housing, | ) |                           |
|                                          | ) |                           |
| Respondent.                              | ) |                           |

**ORDER ADOPTING PROCEDURAL SCHEDULE**

On March 22, 1999, the Staff of the Missouri Public Service Commission (Staff) filed a proposed procedural schedule. The proposal indicates that the parties met on February 2, 1999 for the prehearing conference. Staff stated that as a result of the prehearing conference and subsequent discussions, the parties are negotiating a stipulation and agreement to resolve the complaint. However, since those negotiations are not complete, Staff has proposed a procedural schedule. The Commission has reviewed the proposed schedule and finds the dates appropriate for this case. Therefore, the Commission adopts the proposed schedule and finds that the following conditions should be applied to the schedule:

(A) The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.130. All parties shall comply with this rule,

including the requirement that testimony be filed on line-numbered pages. The practice of prefiling testimony is designed to give parties notice of the claims, contentions and evidence in issue and to avoid unnecessary objections and delays caused by allegations of unfair surprise at the hearing.

(B) Pursuant to 4 CSR 240-2.130(15), testimony and schedules shall not be filed under seal and treated as proprietary or highly confidential unless the Commission has first established a protective order. Any testimony or schedule filed without a protective order first being established shall be considered public information.

(C) The parties shall agree upon and the Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing and the order in which they shall be called, and the order of cross-examination for each witness. Any issue not contained in this list of issues will be viewed as uncontested and not requiring resolution by the Commission.

(D) Each party shall file a statement of its position on each disputed issue. Such statement shall be simple and concise, and shall not contain argument about why the party believes its position to be the correct one.

(E) The Commission's general policy provides for the filing of the transcript within two weeks after the hearing. If any party seeks to expedite the filing of the transcript, such request shall be tendered in writing to the regulatory law judge at least five days prior to the date

of the hearing.

(F) All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and shall set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(G) All parties are required to bring an adequate number of copies of exhibits which they intend to offer into evidence at the hearing. If an exhibit has been prefiled, only three copies of the exhibit are necessary for the court reporter. If an exhibit has not been prefiled, the party offering it should bring, in addition to the three copies for the court reporter, copies for the five Commissioners, the regulatory law judge, and all counsel.

**IT IS THEREFORE ORDERED:**

1. That the following procedural schedule is adopted for this case:

|                                                                   |                           |
|-------------------------------------------------------------------|---------------------------|
| Direct testimony of the Director                                  | May 4, 1999<br>3:00 PM    |
| Rebuttal testimony by Factory                                     | June 8, 1999<br>3:00 PM   |
| Surrebuttal testimony by the Director                             | June 17, 1999<br>3:00 PM  |
| Prehearing Conference                                             | June 21, 1999<br>10:00 AM |
| List of issues, order of witnesses,<br>order of cross-examination | June 23, 1999<br>3:00 PM  |

Surrebuttal and Cross-surrebuttal  
on all issues

June 24, 1999  
3:00 PM

Positions of each party  
on all issues

June 24, 1999  
3:00 PM

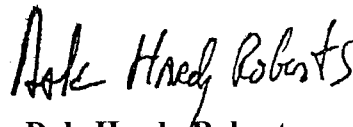
Evidentiary Hearing

July 1, 1999  
9:00 AM

The hearing will be held on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Any person with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumer Services Hotline -- 1-800-392-4211, or TDD Hotline -- 1-800-829-7541.

2. That this order shall become effective on April 15, 1999.

**BY THE COMMISSION**



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

(S E A L)

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

Hopkins, Senior Regulatory Law Judge

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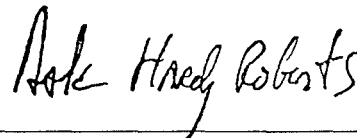
**STATE OF MISSOURI  
OFFICE OF THE PUBLIC SERVICE COMMISSION**

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 15TH day of APRIL, 1999.



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

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
April 15, 1999**

**CASE NO: MC-99-221**

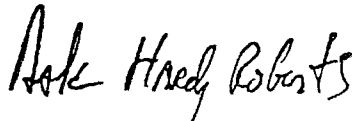
**Office of the Public Counsel**  
P.O. Box 7800  
Jefferson City, MO 65102

**General Counsel**  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**Thomas A. Krause**  
P.O. Box 1209  
Lake Ozark, MO 65049

**Enclosed find certified copy of ORDER in the above-numbered case(s).**

Sincerely,



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

**Uncertified Copy:**

**Jerry Prewitt**  
**Lake Area Development Co. Inc.**  
**D/b/a Factory Direct Manufactured Hsg.**  
Route 3, Box 278-1  
Eldon, MO 65026