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**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

Director of the Division of Manufactured	)	
Homes, Recreational Vehicles and Modular	)	
Units of the Missouri Public Service	)	
Commission,	)	
	)	
Complainant,	)	
	)	
v.	)	<u>Case No. MC-96-223</u>
	)	
Benton Homes, Inc.	)	
	)	
Respondent.	)	

**ORDER SETTING EARLY PREHEARING CONFERENCE**

The Staff of the Missouri Public Service Commission (Staff) filed a complaint against Fuqua Homes, Inc. (Fuqua) and Benton Homes, Inc. (Benton) on January 17, 1996. Benton filed its answer on February 15 and Fuqua filed its answer on February 26. The Staff's case against Fuqua was stayed by the U.S. Bankruptcy Court for the Northern District of Texas on March 29 in Case No. 391-39899-HCA-11. In response to the Commission's December 19, 1997, Notice Regarding Status of Case, the Staff notified the Commission on January 7, 1998, that the bankruptcy stay is still in effect. In its January 7 pleading the Staff dismissed its complaint against against Fuqua but indicated a desire to move forward with its complaint against Benton.

The Commission finds that the remaining parties to the case should appear before the Commission for an early prehearing conference. The Commission will schedule an early prehearing conference, and set a date for the parties to offer a procedural schedule.

**IT IS THEREFORE ORDERED:**

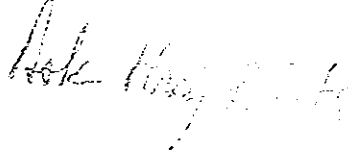
1. That the Commission will conduct an early prehearing conference on Monday, February 23, 1998, at 10:00 a.m. in the Commission's hearing room on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

2. That anyone wishing to attend the prehearing conference who has special needs as addressed by the Americans With Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days before the prehearing or hearing at one of the following numbers: Consumer Services Hotline -- 1-800-392-4211 or TDD Hotline -- 1-800-829-7541.

3. That the parties shall file a proposed procedural schedule no later than March 5, 1998.

4. That this order shall become effective on February 2, 1998.

**BY THE COMMISSION**



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

(S E A L)

Amy E. Randles, Regulatory Law  
Judge, by delegation of authority  
pursuant to 4 CSR 240-2.120(1)  
(November 30, 1995) and  
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 2nd day of February, 1998.

**RECEIVED**

**FEB 02 1998**

**COMMISSION COUNSEL**  
**PUBLIC SERVICE COMMISSION**