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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
  
TRANSCRIPT OF PROCEEDINGS  
  
Prehearing Conference  
  
April 24, 2001  
Jefferson City, Missouri  
Volume 1

Director of the Division of	)	
Manufactured Homes, Recreational	)	
Vehicles and Modular Units of the	)	
Public Service Commission,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. MC-2000-541
	)	
Rightway Homes,	)	
	)	
Respondent.	)	

BILL HOPKINS, Presiding,  
SENIOR REGULATORY LAW JUDGE.

REPORTED BY:  
  
KELLENE K. FEDDERSEN, CSR, RPR  
ASSOCIATED COURT REPORTERS, INC.

1 APPEARANCES:

2 BRUCE H. BATES, Assistant General Counsel  
P.O. Box 360  
3 Jefferson City, Missouri 65102  
(573) 751-3234

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FOR: Staff of the Missouri Public  
5 Service Commission.

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1 P R O C E E D I N G S

2 JUDGE HOPKINS: This is MC-2000-541, and this  
3 is April 24th, year 2001, Jefferson City, Missouri. There  
4 is no operation of law date here. This is the Director of  
5 the Division of Manufactured Homes, Recreational Vehicles  
6 and Modular Units of the Public Service Commission is the  
7 Complainant. Rightway Homes is the Respondent. I am Bill  
8 Hopkins, the judge here.

9 And Mr. Bates, would you like to make your  
10 entry of appearance, please, sir.

11 MR. BATES: Thank you, your Honor. I'm  
12 Bruce H. Bates appearing on behalf of the Staff of the  
13 Missouri Public Service Commission. My address is Post  
14 Office Box 360, Jefferson City, Missouri 65102-0360.

15 JUDGE HOPKINS: All right. Sir, you indicated  
16 to me before the hearing began that you are from Rightway  
17 Homes; is that correct?

18 MR. MURR: Yes.

19 JUDGE HOPKINS: And what is your name?

20 MR. MURR: Doyle Murr.

21 JUDGE HOPKINS: All right. Mr. Murr, do you  
22 have your attorney with you here this morning, sir?

23 MR. MURR: No, sir.

24 JUDGE HOPKINS: And do you know where your  
25 attorney is?

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1                   MR. MURR: No. I have a letter stating that  
2 he would not be here as of this morning.

3                   JUDGE HOPKINS: And that letter was written to  
4 you?

5                   MR. MURR: March the 9th, 2001.

6                   JUDGE HOPKINS: Mr. Bates, have you heard from  
7 the attorney?

8                   MR. BATES: No, your Honor, I have not.

9                   JUDGE HOPKINS: May I see that letter? And  
10 you're under no obligation to show that to me. That's a  
11 letter between you and your attorney.

12                  Okay. Mr. Murr has handed me a letter from  
13 Mark D. Calvert, C-a-l-v-e-r-t. He's with the firm of  
14 Carnahan, Hickle & Calvert in Rolla. And it says: Dear  
15 Mr. Murr: Enclosed please find an Order from the Public  
16 Service Commission setting a prehearing conference for  
17 Tuesday, April 24th, 2001 at 10 a.m. This has been done  
18 pursuant to your request for a continuance from the  
19 March 15th date originally set. Please be advised that I am  
20 not planning to attend this prehearing conference. If you  
21 have any questions, let me know. Signed apparently by  
22 Mark D. Calvert.

23                  You tell Mr. Calvert I'm not happy.

24                  MR. MURR: Okay.

25                  JUDGE HOPKINS: He had no excuse for not being

1 here. He was not excused by the Commission. He did not ask  
2 to be excused by the Commission. And the purpose of a  
3 prehearing conference is to try to settle things, and since  
4 you are a corporation, you must be represented by an  
5 attorney.

6 MR. MURR: I'm not a corporation. We're an  
7 individual.

8 JUDGE HOPKINS: You're doing business as an  
9 individual?

10 MR. MURR: Yes.

11 JUDGE HOPKINS: Okay. You're still  
12 represented by an attorney. So ethically Mr. Bates and the  
13 Staff of the Commission cannot talk to you because you are  
14 represented by an attorney.

15 MR. MURR: Okay.

16 JUDGE HOPKINS: And Mr. Bates and his people  
17 would get in trouble if they tried to talk to you because  
18 you are represented by an attorney.

19 MR. MURR: Okay.

20 JUDGE HOPKINS: So you're not the one that did  
21 something wrong.

22 MR. MURR: Okay.

23 JUDGE HOPKINS: All right, sir. We're going  
24 to reschedule this, and Mr. Calvert will be required to  
25 appear. When would you like to reschedule this? Do you

1 have any --

2 MR. BATES: My only -- I did not bring my  
3 calendar with me. I do have a prehearing, I believe, in  
4 front of your Honor Thursday at this time on another matter,  
5 and then I believe my next hearing is not until about  
6 May 9th.

7 JUDGE HOPKINS: That's true, we do have a  
8 hearing Thursday. And May 9th, I'm going to be gone then.  
9 Does May 2nd sound like a good date to you, Mr. Bates?

10 MR. BATES: May 2nd would be fine with me.

11 JUDGE HOPKINS: I'm sorry. What did you say?

12 MR. BATES: I said May 2nd would be fine with  
13 me.

14 JUDGE HOPKINS: May 2nd is on a Wednesday.  
15 That's one week from tomorrow. Are you going to be here  
16 then?

17 MR. MURR: I'll be here.

18 JUDGE HOPKINS: All right. And we will send a  
19 notice to your attorney to be here on May the 2nd, 10 a.m.

20 Just for the record, I may have asked you this  
21 off the record, Mr. Bates, but did you have any  
22 correspondence from Mr. Calvert indicating he wasn't going  
23 to be here today?

24 MR. BATES: No, your Honor, no correspondence  
25 and no communication of any kind.

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1 JUDGE HOPKINS: Thank you. We're off the  
2 record. Thank you, sir.

3 MR. MURR: Thank you.

4 WHEREUPON, the recorded portion of the  
5 prehearing conference was concluded.

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