

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

In the Matter of Amendment)	
of the Regulations of the)	
Manufactured Housing Program)	<u>Case No. MX-2022-0012</u>
of the Missouri Public)	
Service Commission)	

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission and for its *Recommendation* hereby states:

1. Pursuant to General Procedure 1, Staff files the attached memorandums stating that Staff finds the actual costs of implementing the updates to 20 CSR 4240-120.140; 20 CSR 4240-123.030; 20 CSR 4240-123.040; 20 CSR 4240-125.040 and 20 CSR 4240-125.050 do not exceed the estimates by more than 10 percent or, where appropriate, has not exceeded five hundred dollars.

WHEREFORE, Staff prays that the Commission will accept this *Recommendation* and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

/s/ Whitney Scurlock

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, to all parties or their representatives pursuant to the Service List maintained by the Commission's Data Center for this file, on this 26th day of September, 2023.

/s/ Whitney Scurlock

MEMORANDUM

To: Missouri Public Service Commission Official Case File No. MX-2022-0012

From: David Freeman, Compliance Inspection Supervisor, On Behalf of Commission Staff

Re: Staff's Review of Commission Rules Regarding an Amendment 20 CSR 4240-120.140

Date: September 26, 2023

On July 28, 2021, the Missouri Public Service Commission (Commission) issued a Notice of Finding of Necessity and Directing that Proposed Rule Amendment be filed for the Publication. The proposed amendment 20 CSR 4240-120.140 New Manufactured Home Manufacturer's Inspection Fee will increase that fee from \$30.00 to \$75.00.

The Amended Rule 20 CSR 4240-120.140 was filed on July 28, 2021 and a notice of proposed rulemaking was published in the Missouri Register on September 2, 2021 (46 MoReg 1624-1632). The public comment period ended on October 1, 2021.

The Commission Staff has investigated the cost of implementing the rule through this case, and reports the public cost of the rule has not changed from the original expected cost and reports that it has not discovered any information that would show that the cost estimated for this rule as published in the *Missouri Register* were inaccurate.

The Commission's General Procedure GP-1 ("GP-1") requires that, within 30 days before the end of the first full fiscal year after the implementation of a rule, amendment or rescission, the Staff is to investigate whether the cost to all affected entities, including the Commission, has exceeded by ten percent or more the estimated cost in the fiscal note, or, where appropriate, has exceeded five hundred dollars.

GP-1 also requires the Staff to prepare a memorandum showing the results of its investigation within thirty (30) days after the end of the first full fiscal year of the implementation of the subject rule, amendment or rescission. If the Staff investigation shows that the costs have not exceeded ten percent for all entities or, where appropriate, the estimated five hundred dollars, Staff's Memorandum shall be entered into EFIS under the rulemaking's docket number.

The Staff's response regarding the accuracy of the published cost estimates is within the time frame specified by Section 536.200, RSMo 2019. This statute requires publication in the Missouri Register of a report of costs exceeding ten percent for all entities or cost over five hundred dollars, where appropriate, within 90 days after the close of the "first full fiscal year" after the implementation of the subject rule, amendment or rescission. The rule that was the subject of this case became effective on February 28, 2022. The first full fiscal year after implementation of the rule thus ended on June 30, 2023. Accordingly, September 28, 2023, would represent the 90-day expiration period for the publication of a report regarding excess cost information in the Missouri Register. Since the Staff's investigation indicates that the published cost estimates related to the changes in the rule have not been exceeded, no Missouri Register publication is required under Section 536.200, RSMo 2019.

MEMORANDUM

To: Missouri Public Service Commission Official Case File No. MX-2022-0012

From: David Freeman, Compliance Inspection Supervisor, On Behalf of Commission Staff

Re: Staff's Review of Commission Rules Regarding an Amendment 20 CSR 4240-123.030

Date: September 19, 2023

On July 28, 2021, the Missouri Public Service Commission (Commission) issued a Notice of Finding of Necessity and Directing that Proposed Rule Amendment be filed for the Publication. The proposed amendment 20 CSR 4240-123.030 Seals, will increase that fee from \$110.00 to \$220.00.

The Amended Rule 20 CSR 4240-123.030 was filed on July 28, 2021 and a notice of proposed rulemaking was published in the Missouri Register on September 2, 2021 (46 MoReg 1624-1632). The public comment period ended on October 1, 2021.

The Commission Staff has investigated the cost of implementing the rule through this case, and reports the public cost of the rule has not changed from the original expected cost and reports that it has not discovered any information that would show that the cost estimated for this rule as published in the *Missouri Register* were inaccurate.

The Commission's General Procedure GP-1 ("GP-1") requires that, within 30 days before the end of the first full fiscal year after the implementation of a rule, amendment or rescission, the Staff is to investigate whether the cost to all affected entities, including the Commission, has exceeded by ten percent or more the estimated cost in the fiscal note, or, where appropriate, has exceeded five hundred dollars.

GP-1 also requires the Staff to prepare a memorandum showing the results of its investigation within thirty (30) days after the end of the first full fiscal year of the implementation of the subject rule, amendment or rescission. If the Staff investigation shows that the costs have not exceeded ten percent for all entities or, where appropriate, the estimated five hundred dollars, Staff's Memorandum shall be entered into EFIS under the rulemaking's docket number.

The Staff's response regarding the accuracy of the published cost estimates is within the time frame specified by Section 536.200, RSMo 2019. This statute requires publication in the Missouri Register of a report of costs exceeding ten percent for all entities or cost over five hundred dollars, where appropriate, within 90 days after the close of the "first full fiscal year" after the implementation of the subject rule, amendment or rescission. The rule that was the subject of this case became effective on February 28, 2022. The first full fiscal year after implementation of the rule thus ended on June 30, 2023. Accordingly, September 28, 2023, would represent the 90-day expiration period for the publication of a report regarding excess cost information in the Missouri Register. Since the Staff's investigation indicates that the published cost estimates related to the changes in the rule have not been exceeded, no Missouri Register publication is required under Section 536.200, RSMo 2019.

MEMORANDUM

To: Missouri Public Service Commission Official Case File No. MX-2022-0012

From: David Freeman, Compliance Inspection Supervisor, On Behalf of Commission Staff

Re: Staff's Review of Commission Rules Regarding an Amendment 20 CSR 4240-123.040

Date: September 26, 2023

On July 28, 2021, the Missouri Public Service Commission (Commission) issued a Notice of Finding of Necessity and Directing that Proposed Rule Amendment be filed for the Publication. The proposed amendment 20 CSR 4240-123.040 Approval of manufacturing Program, approval of modular unit plans in production and to renew that approval annually, which will increase that fee from \$75.00 to \$150.00.

The Amended Rule 20 CSR 4240-123.040 was filed on July 28, 2021 and a notice of proposed rulemaking was published in the Missouri Register on September 2, 2021 (46 MoReg 1624-1632). The public comment period ended on October 1, 2021.

The Commission Staff has investigated the cost of implementing the rule through this case, and reports the public cost of the rule has not changed from the original expected cost and reports that it has not discovered any information that would show that the cost estimated for this rule as published in the *Missouri Register* were inaccurate.

The Commission's General Procedure GP-1 ("GP-1") requires that, within 30 days before the end of the first full fiscal year after the implementation of a rule, amendment or rescission, the Staff is to investigate whether the cost to all affected entities, including the Commission, has exceeded by ten percent or more the estimated cost in the fiscal note, or, where appropriate, has exceeded five hundred dollars.

GP-1 also requires the Staff to prepare a memorandum showing the results of its investigation within thirty (30) days after the end of the first full fiscal year of the implementation of the subject rule, amendment or rescission. If the Staff investigation shows that the costs have not exceeded ten percent for all entities or, where appropriate, the estimated five hundred dollars, Staff's Memorandum shall be entered into EFIS under the rulemaking's docket number.

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MEMORANDUM

To: Missouri Public Service Commission Official Case File No. MX-2022-0012

From: David Freeman, Compliance Inspection Supervisor, On Behalf of Commission Staff

Re: Staff's Review of Commission Rules Regarding an Amendment 20 CSR 4240-125.040

Date: September 19, 2023

On July 28, 2021, the Missouri Public Service Commission (Commission) issued a Notice of Finding of Necessity and Directing that Proposed Rule Amendment be filed for the Publication. The proposed amendment 20 CSR 4240-125.040 Manufactured Home Installer License **is withdrawn**, the proposed rule amendment would have increase the fee from \$150.00 to \$225.00.

The Amended Rule 20 CSR 4240-125.040 was filed on July 28, 2021 and a notice of proposed rulemaking was published in the Missouri Register on September 2, 2021 (46 MoReg 1624-1632). The public comment period ended on October 1, 2021.

The Commission Staff has investigated the cost of not implementing the rule through this case, and reports the public cost of the rule has not changed from the original expected cost and reports that it has not discovered any information that would show that the cost estimated for this rule as published in the *Missouri Register* were inaccurate.

The Commission's General Procedure GP-1 ("GP-1") requires that, within 30 days before the end of the first full fiscal year after the implementation of a rule, amendment or rescission, the Staff is to investigate whether the cost to all affected entities, including the Commission, has exceeded by ten percent or more the estimated cost in the fiscal note, or, where appropriate, has exceeded five hundred dollars.

GP-1 also requires the Staff to prepare a memorandum showing the results of its investigation within thirty (30) days after the end of the first full fiscal year of the implementation of the subject rule, amendment or rescission. If the Staff investigation shows that the costs have not exceeded ten percent for all entities or, where appropriate, the estimated five hundred dollars, Staff's Memorandum shall be entered into EFIS under the rulemaking's docket number.

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MEMORANDUM

To: Missouri Public Service Commission Official Case File No. MX-2022-0012

From: David Freeman, Compliance Inspection Supervisor, On Behalf of Commission Staff

Re: Staff's Review of Commission Rules Regarding an Amendment 20 CSR 4240-125.050

Date: September 26, 2023

On July 28, 2021, the Missouri Public Service Commission (Commission) issued a Notice of Finding of Necessity and Directing that Proposed Rule Amendment be filed for the Publication. The proposed amendment 20 CSR 4240-125.050 Limited Use Installer License **is rescinded**, because no one has applied for such limited use installer license in some time and everyone who is trying to become a licensed installer simply applies for a full license rather than applying for a limited use license.

The Amended Rule 20 CSR 4240-125.050 was filed on July 28, 2021 and a notice of proposed rulemaking was published in the Missouri Register on September 2, 2021 (46 MoReg 1624-1632). The public comment period ended on October 1, 2021.

The Commission Staff has investigated the cost of implementing the rule through this case, and reports the public cost of the rule has not changed from the original expected cost and reports that it has not discovered any information that would show that the cost estimated for this rule as published in the *Missouri Register* were inaccurate.

The Commission's General Procedure GP-1 ("GP-1") requires that, within 30 days before the end of the first full fiscal year after the implementation of a rule, amendment or rescission, the Staff is to investigate whether the cost to all affected entities, including the Commission, has exceeded by ten percent or more the estimated cost in the fiscal note, or, where appropriate, has exceeded five hundred dollars.

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The Staff's response regarding the accuracy of the published cost estimates is within the time frame specified by Section 536.200, RSMo 2019. This statute requires publication in the Missouri Register of a report of costs exceeding ten percent for all entities or cost over five hundred dollars, where appropriate, within 90 days after the close of the "first full fiscal year" after the implementation of the subject rule, amendment or rescission. The rule that was the subject of this case became effective on February 28, 2022. The first full fiscal year after implementation of the rule thus ended on June 30, 2023. Accordingly, September 28, 2023, would represent the 90-day expiration period for the publication of a report regarding excess cost information in the Missouri Register. Since the Staff's investigation indicates that the published cost estimates related to the changes in the rule have not been exceeded, no Missouri Register publication is required under Section 536.200, RSMo 2019.