

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 18th day of January, 2024.

The Staff of the Missouri Public Service Commission,  
Complainant,  
v.  
I-70 Mobile City, Inc. d/b/a I-70 Mobile City Park.  
Respondent.

**File No. WC-2022-0295**

**ORDER DENYING MOTION FOR STAY AND MOTION TO OPEN A WORKING DOCKET**

Issue Date: January 18, 2024

Effective Date: January 18, 2024

On December 14, 2023, Respondent, I-70 Mobile City, Inc. d/b/a I-70 Mobile City Park filed its *Motion for Stay and Motion to Open Working Docket*. I-70 Mobile City Park’s motion asks the Commission to open a working docket to allow the parties, mobile home parks, residents, and other stakeholders to participate in a docket to examine whether the Commission’s regulations should apply to mobile home parks.

In support of its position, I-70 Mobile City Park offers that a working docket would permit I-70 Mobile City Park to connect with the Commission’s Staff and other industry contacts and information. I-70 Mobile City Park notes that according to the Missouri Department of Natural Resources’ (DNR) most recent census there exist at least 65 water systems that appear to be mobile home or recreational vehicle parks with more than 25 service connections. Additionally, I-70 Mobile City Park notes that it is already subject to the Missouri Safe Drinking Water Commission, the requirements of the Missouri Safe

Drinking Water Law, the Safe Drinking Water Act, and DNR regulations. I-70 Mobile sees a working docket as a possible forum to address public policy concerns.

Staff filed a response to I-70 Mobile City Park's motion. Staff's response states that I-70 Mobile City Park uses the fact that it is a mobile home and recreational vehicle park and a previous Commission case, *Missouri PSC v. Aspen Woods Apt. Assoc., LLC and Nat'l Water & Power, Inc.*, File No. WC2010-0227, as support for opening a working docket.

Staff states that a working docket is "often opened when the issue or issues in a case are nebulous or no clear statute or regulation exists which can be used or relied upon by the parties and/or the Commission to arrive at a workable or clear solution or resolution." Staff argues that this is not appropriate in this complaint where state statutes exist that unambiguously apply to the facts at issue. Staff states that the questions for the commission to resolve are as follows:

- Does the Commission have jurisdiction over I-70 Mobile City pursuant to §386.250, RSMo?
- Is I-70 Mobile City a sewer corporation?
- Is I-70 Mobile City a water corporation?
- Is I-70 Mobile City engaging in the unlawful provision of water and sewer services to the public for gain, without certification or other authority from the Commission?

Staff states that existing Missouri statutes apply to each issue before the Commission and that the only determinations for the Commission to make are about the facts of the case. Staff further argues that input from stakeholders is not necessary to determine the extent of the Commission's jurisdiction because the legislature has already done so

through its promulgation of specific statutes describing the Commission's jurisdiction and defining types of regulated utilities.

Section 536.041, RSMo, allows any person to petition a state agency requesting the adoption, amendment, or repeal of any rule. However, Respondent is not requesting the adoption, amendment, or repeal of any rule. I-70 Mobile City Park is asking the Commission to stay this case and open a docket to have a conversation about public policy and whether Commission jurisdiction should apply to mobile home parks.

The Commission's jurisdiction is statutorily defined, and as Staff's response explains, is precisely what is at issue in this complaint. The Commission is not persuaded by I-70 Mobile City Park's assertion that this case is about more than whether I-70 Mobile City Park should be regulated. Because not all mobile home parks handle the provision of essential service in a uniform matter, it is unlikely that a workshop would achieve a resolution that would apply to all mobile home parks. A workshop would not assist the Commission in resolving whether I-70 Mobile City Park is subject to regulation by the Commission.

This complaint was filed in April of 2022. The evidentiary hearing has been rescheduled multiple times, and this complaint has been delayed multiple times to resolve discovery issues. I-70 Mobile City Park's request to stay the case and open a working docket to discuss public policy concerning the Commission's statutory jurisdiction would only further delay a case where the issue before the Commission will resolve whether I-70 Mobile City Park is subject to the Commission regulation.

The Commission will deny the request to stay the case and open a working docket.

**THE COMMISSION ORDERS THAT:**

1. I-70 Mobile City Park's motion to stay this complaint and open a working docket is denied.
2. This order shall become effective when issued.



**BY THE COMMISSION**

*Nancy Dippell*

Nancy Dippell  
Secretary

Rupp, Chm., Coleman, Holsman, Kolkmeyer  
and Hahn CC., concur.

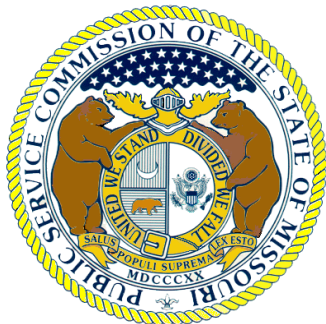
Clark, Senior Regulatory Law Judge

**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 18<sup>th</sup> day of January 2024.**



*Nancy Dippell*  
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**Nancy Dippell**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**January 18, 2024**

**File/Case No. WC-2022-0295**

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**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**



**Nancy Dippell  
Secretary**

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