

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Levi and Adrienne (Goble) Teel,)	
)	
Complainants)	
v.)	<u>File No. MC-2020-0250</u>
)	
Clayton Homes, Champion Homes, and)	
Bill Hembree,)	
)	
Respondents)	

NOTICE OF DEFICIENCY

Issue Date: February 26, 2020

Effective Date: February 26, 2020

On February 20, 2020, the Commission's Staff filed a motion to open a formal complaint. On January 24, 2020, the Commission granted that motion and issued an order giving notice of the complaint, and setting a deadline for responses. On February 25, 2020, Respondent Clayton Homes filed a letter in response to the complaint signed by its General Manager, Jamie Smith. There is no indication that Jamie Smith is an attorney licensed in the State of Missouri.

Commission Rule 20 CSR 4240-2.040(5), specifically addressing practice before the Commission, states:

A natural person may represent himself or herself. Such practice is strictly limited to the appearance of a natural person on his or her own behalf and shall not be made for any other person or entity.

The underlying basis for these Commission Rules can be found in the Revised Statutes of Missouri at sections 484.010 and 484.020. Section 484.010 defines the practice of law as "the appearance as an advocate in a representative capacity or the drawing of papers, pleadings or documents or the performance of any act in such capacity in connection with proceedings pending or prospective before any court of record,

commissioner, referee or any body, board, committee or commission constituted by law or having authority to settle controversies.” Section 484.020 restricts the practice of law and engagement in law business to licensed attorneys.

Clayton Homes, not being a natural person representing only itself, must be represented by an attorney authorized to practice law in Missouri to appear before the Commission in this matter. Therefore, Clayton Homes’ response is defective because of the lack of that representation as evidenced by the lack of a signature by an attorney authorized to practice law in Missouri. Because the time for responses has not yet passed, the Commission will permit Clayton Homes to correct the deficiency by filing its answer to the complaint.¹

THE COMMISSION ORDERS THAT:

1. Clayton Homes shall remedy its response by filing its answer no later than March 25, 2020.
2. This order is effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

John T. Clark, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 26th day of February, 2020.

¹ The Commission’s rule regarding pleadings is found at 20 CSR 4240-2.080.

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 26th day of February 2020.**




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

February 26, 2020

File/Case No. MC-2020-0250

**Missouri Public Service
Commission**

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**Missouri Public Service
Commission**

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

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.