

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Director of the Manufactured Housing
and Modular Units Program of the
Missouri Public Service Commission,

Complainant,

v.

Brookside Homes, Inc.,
2455 US Highway 67 South,
Festus, Missouri 63028,

Respondent.

Case No. MC-2009-0020

ORDER DIRECTING RESPONDENT TO SHOW CAUSE WHY
AN ORDER GRANTING DEFAULT SHOULD NOT BE ISSUED

Issue Date: August 20, 2008

Effective Date: August 20, 2008

The Director of the Manufactured Homes and Modular Units Program of the Missouri Public Service Commission, through the General Counsel of the Commission, filed a complaint against Brookside Homes, Inc., on July 8, 2008. The Commission issued a Notice of Complaint in this case on July 9, 2008. The notice was sent via certified mail and received on July 12, 2008.

Among other things, the Notice of Complaint provided Brookside with a copy of the complaint and informed Brookside that it had thirty days from the date of the notice to file its answer. More than thirty days have passed since the Commission issued its Notice of Complaint, and Brookside has not filed an answer.

Under Commission Rule 4 CSR 240-2.070(9), “[i]f the respondent in a complaint case fails to file a timely answer, the complainant’s averments may be deemed admitted and an order granting default entered.” Brookside shall be ordered to file a pleading stating good cause for its failure to timely file its answer to Staff’s complaint. Brookside is advised that if it fails to provide a good reason for not timely filing its answer, the Commission could find Brookside has admitted the averments contained in Staff’s complaint and issue an order granting the relief requested by Staff.

IT IS ORDERED THAT:

1. Brookside Homes, Inc., shall file a pleading, not later than September 2, 2008, showing cause why the Commission should not issue an order granting default in favor of the complainant.
2. This order is effective upon issuance.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 20th day of August, 2008.