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M. DIANNE DRAINER
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Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.ecodev.state.mo.us/psc/>

June 1, 2000

BRIAN D. KINKADE
Executive Director

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Director, Research and Public Affairs

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Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

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Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED²

JUN 1 2000

Missouri Public
Service Commission

RE: MX-2000-589

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of an **AMENDED MOTION FOR FINDING OF NECESSITY FOR RULEMAKING**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

David J. Stueven
Assistant General Counsel
(573) 751-6726
(573) 751-9285 (Fax)

DS/jb
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²
JUN 1 2000

Missouri Public
Service Commission

In the Matter of Amendment to Rule 4)
CSR 240-120.100 - Code)

Case No. MX-2000-589

AMENDED MOTION FOR FINDING OF NECESSITY FOR RULEMAKING

COMES NOW the Director of the Division of Manufactured Homes and Modular Units of the Missouri Public Service Commission ("Director"), by and through the Missouri Public Service Commission's ("Commission") Office of General Counsel, and for his Amended Motion For Finding of Necessity For Rulemaking states as follows:

1. Attached as Attachment A is the Director's Recommendation to the Commission on the proposed rulemaking. Included in the Recommendation is an analysis of the fiscal impact and effectiveness of the rule, both to the state as well as to any private or public person or entity affected by this rulemaking.
2. The Director proposes to amend Rule 4 CSR 240-120.100 to clarify the requirements to which new manufactured homes are to be set up and installed.
3. This rulemaking is necessary to assist the Manufactured Housing Department in making determinations about the proper set up of new manufactured homes.
4. Pursuant to Section 700.040.5 RSMo (1999), the Commission has the authority to promulgate rules to make effective Sections 700.010 to 700.115. Section 700.100.3(6) requires dealers to arrange for proper setup of manufactured homes.

WHEREFORE, the Director respectfully requests that the Commission, based upon reasonably available empirical data including an assessment of the effectiveness and costs both to the state and to any private or public person or entity affected, find that the proposed amendment to 4 CSR 240-120.100 – Code is necessary to assist the Manufactured Housing Department in making determinations about the proper set up of new manufactured homes.

Respectfully submitted,

DANA K. JOYCE
General Counsel

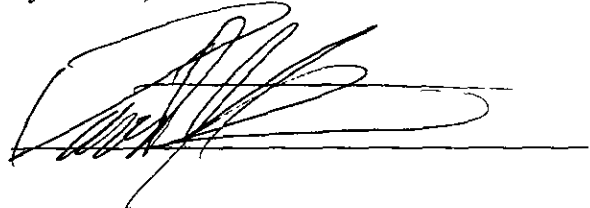


David J. Stueven
Assistant General Counsel
Missouri Bar No. 51274

Attorney for the Director of the Division of
Manufactured Homes and Modular Units of
the Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
(573) 751-6726
(573) 751-9285 (Fax)

Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 1st day of June, 2000.



Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. MX-2000-589 Proposed Amendment to Rule 4 CSR 240-120.100 Code

FROM: Steve Jungmeyer, Department of Manufactured Housing and Modular Units

Wes Henderson 4.3.00
Utility Operations Division / Date

[Signature] 4/10/2000
General Counsel's Office / Date

SUBJECT: Staff Recommendation

DATE: April 3, 2000

4 CRS 240-120.100 – Code is being amended to clarify the requirements to which new manufactured homes are to be set up or installed. The rule generally specifies that new manufactured homes shall be set up or installed according to the manufacturer's installation instruction manual.

The new rule is necessary to assist the Manufactured Housing Department in making determinations about the proper set up of new manufactured homes. There is no fiscal impact resulting from this proposed rule amendment.

Staff recommends that the Commission find that a rulemaking to propose 4 CRS 240-120.100 is necessary.

Copies: Director – Utility Operations Division
Director – Utility Services Division
Director – Research and Public Affairs Division
General Counsel
Office of Public Counsel