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May 18, 2000

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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

RE: Case No. MX-2000-449

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **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/dkf
Enclosure
cc: Counsel of Record

FILED²
MAY 18 2000
Missouri Public
Service Commission

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²
MAY 18 2000

Missouri Public
Service Commission

In the Matter of a Proposed Amendment)
to Rule 4 CSR 240-124.045-Anchoring)
Standards)

Case No. MX-2000-449

MOTION FOR FINDING OF NECESSITY FOR RULEMAKING

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

1. Attached as Appendix A is the Director's Recommendation to the Commission on the proposed rulemaking. The purpose of this rulemaking is to amend Anchoring Standards to implement standardized anchoring procedures. There is no fiscal impact on the State or on any private or public person or entity that would be affected by this proposed amendment.

2. The Director proposes this new rule to implement standardized anchoring procedures for unclassified soils. §700.065 RSMo 1994 requires all manufactured homes located within the state to be anchored and tied down in accordance with the standards promulgated by the Commission. The Commission, under the provisions of §700.040 RSMo Supp. 1999, "may issue and promulgate such rules and regulations as necessary to make effective the code and provisions of sections 700.010 to 700.115."

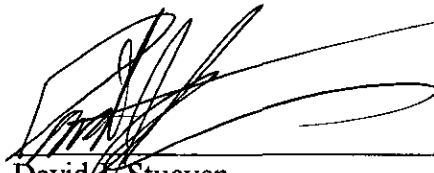
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3. This rulemaking is necessary to implement standardized anchoring procedures when a manufactured home is sited on unclassified soils.

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 rulemaking, 4 CSR 240-124.045-Anchoring Standards, is necessary for the purposes of § 700.065 RSMo 1994.

Respectfully submitted,

DANA K. JOYCE
General Counsel

A handwritten signature in black ink, appearing to read 'David J. Stueven', is written over a horizontal line.

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
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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 18th day of May, 2000.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is written over a solid horizontal line.

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-2000-449 Proposed Amendment to Rule 4 CSR 240-124.045
Anchoring Standards

FROM: Steve Jungmeyer, ^{5x}Department of Manufactured Housing and Modular Units ^{085.172}
Wes Hendrix 4-11-00 [Signature] 5/17/00
Utility Operations Division / Date General Counsel's Office / Date

SUBJECT: Staff Recommendation

DATE: April 11, 2000

4 CRS 240-124.045 – Anchoring Standards is being amended to include a proposed rule that will implement standardized anchoring procedures.

The proposed rule will include technical information and performance criteria for the application of anchoring systems and regulations describing the utilization of standardized anchoring procedures for unclassified soils.

As a result of Case No. MW-97-273, an order from the Commission dated July 6, 1999, directed Staff to file a proposed rule in substantial compliance with a report developed by an anchor working group. In that order, the Commission determined that a minority report created by a working group which consisted of participants from various interest groups including the industry, regulatory agencies, and consumers, be adopted for the establishment of a standardized anchoring procedure. These standardized anchoring procedures were developed in order to give the industry the option of using the procedure when a manufactured home is sited on unclassified soils.

There is no fiscal impact on the State or on any private or public person or entity that would be affected by this proposed rulemaking.

Staff recommends that the Commission find that a rulemaking to propose 4 CRS 240-124.045 is necessary.

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

APPENDIX A