



Missouri Public Service Commission

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April 11, 2000

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Vice Chair

FILED 3

APR 11 2000

Missouri Public
Service Commission

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-2000-590

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and fourteen (14) 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,

Handwritten signature of David A. VanDyke

David A. VanDyke
Assistant General Counsel
(573) 751-7485
(573) 751-9285 (Fax)

DAV/lb
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>3</sup>

APR 11 2000

Missouri Public  
Service Commission

In the Matter of Amendment to Rule 4        )  
CSR 240-123.030 - Seals                    )

Case No. MX-2000-590

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 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 240-123.030 to increase the fee for a compliance seal, increase the fee for a replacement seal, eliminate the handling fees for seal orders, and change the location for affixing the seal in a manufactured home.
3. This rulemaking is necessary to replace the funding losses created by eliminating recreational vehicles from regulation by the Commission and to provide an interior location for affixing the seal.

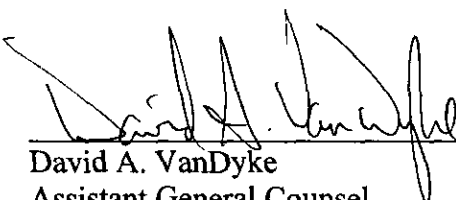
**WHEREFORE**, the Director respectfully requests that the Commission, based upon reasonably available empirical data including an assessment of the effectiveness and costs both

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to the state and to any private or public person or entity affected, find that the proposed amendment to 4 CSR 240-123.030 – Seals is necessary to replace the funding losses created by eliminating recreational vehicles from regulation by the Commission and to provide an interior location for affixing the seal.

Respectfully submitted,

DANA K. JOYCE  
General Counsel



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David A. VanDyke  
Assistant General Counsel  
Missouri Bar No. 46377 .

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 below service list this 11th day of April 2000.



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**MEMORANDUM**

TO: Missouri Public Service Commission Official Case File  
Case No. MX-2000-590 Proposed Amendment to Rule 4 CSR 240-123.030 Seals

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

*Wendy Beale* 4.3.00  
Utility Operations Division / Date

*[Signature]* 4/10/00  
General Counsel's Office / Date

SUBJECT: Staff Recommendation

DATE: April 3, 2000

4 CRS 240-123.030 – Seals is being amended to change and increase the fees for modular unit compliance seals and to clarify where a seal is to be affixed in modular units.

The fee for a compliance seal is currently \$20.00 per seal with a \$2.00 mailing and handling fee for each order. This proposal increases the fee to \$40.00 per seal and eliminates the \$2.00 handling fee. This proposal also increases the fee for a replacement seal from \$10.00 to \$20.00. The current fees have been in effect since August 16, 1979, and are part of the funding mechanism for the Manufactured Housing Program's overall operations. These proposed increases would help offset the void left by recreational vehicle de-regulation.

Using fiscal year 1999 actual data for the number of seals issued, this proposed rule would increase revenue by approximately \$31,000.

Text concerning the location of a seal is being amended to eliminate language allowing the placement of a seal on the outside of a modular unit. Seals should only be affixed on the inside of the completed unit on an accessible surface with an unobstructed view, such as an electric panel box.

Staff recommends that the Commission find that a rulemaking to propose 4 CRS 240-123.030 is necessary.

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

**Service List for  
Case No. MX-2000-590  
April 11, 2000**

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