

# Nebraska Public Service Commission

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EXECUTIVE DIRECTOR:  
MICHAEL G. HYBL

September 18, 2018

## CERTIFICATION

To Whom It May Concern:

I, Michael G. Hybl, Executive Director of the Nebraska Public Service Commission, hereby certify that the enclosed is a true and correct copy of the original order made and entered in the proceeding docketed MODF-12, on the 18th day of September 2018. The original order is filed and recorded in the official records of the Commission.

Please direct any questions concerning this order to Ellie Rohr, Legal Counsel, at 402-471-4570.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the Nebraska Public Service Commission, Lincoln, Nebraska, this 18<sup>th</sup> day of September 2018.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael G. Hybl".

Michael G. Hybl  
Executive Director



MGH:lp

Enclosure

cc: Nebraska Manufactured Home Manufacturers  
Nebraska Manufactured Home Dealers  
Ad Hoc Committee Members

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the ) Application No. MODF-12  
Commission, on its own motion, )  
seeking to determine the seal ) ORDER SETTING FEE  
fee amount for the Modular )  
Housing Program. )  
 ) ENTERED: September 18, 2018

BY THE COMMISSION:

On July 31, 2018, the Nebraska Public Service Commission (Commission) entered an order opening the above-captioned proceeding to determine the appropriate seal fee for the Manufactured Home Program (Program) and to set a hearing. Notice of the proceeding appeared in The Daily Record, Omaha, Nebraska, on August 3, 2018.

The Commission is charged by statute to hold an annual public hearing to determine the amount of seal fee and new manufacturer plan review fee necessary to carry out the provisions of the Modular Housing Program pursuant to the Nebraska Uniform Standards for Modular Housing Units Act, *Neb. Rev. Stat. §§ 71-1555 to 71-1568.01 (2012 Cum. Supp.)*. The seal fees are subject to a statutory minimum of One Hundred dollars (\$100.00) and maximum of One Thousand dollars (\$1,000.00) per modular housing unit.<sup>1</sup> The seal fee is currently set at nineteen-cents (\$.19) per square foot of gross space per modular housing unit; minimum fee of One Hundred dollars (\$100.00) per modular housing unit and maximum fee of One Thousand dollars (\$1,000.00) per modular housing unit. The new manufacturer plan review fee is currently One Thousand Eight Hundred dollars (\$1,800.00).

A Public hearing was held on September 5, 2018, in the Commission Hearing Room.

O P I N I O N   A N D   F I N D I N G S

Mark Luttich, Director of the Commission's Housing Department, testified on behalf of the Staff. Director Luttich testified regarding the revenue generated by the present seal fee and stated that for the fees to cover the current expenses just in the Program, the current seal fee of nineteen-cents (\$.19) per square foot should remain the same this year. Director Luttich also recommended the new manufacturer plan review fee remain unchanged.

Director Luttich further testified that by keeping the fees steady, it saves the industry money. He further discussed the

<sup>1</sup> *Neb. Rev. Stat. § 71-1559(4) (2012 Cum. Supp.)*.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. MODF-12

Page 3

The Department has been operating at reduced staffing levels and continues to utilize the services of independent contractors to keep the Department workload at manageable levels to timely respond to factory needs. The Cash Fund currently contains approximately a six to eight (6-8) month reserve to fund the Department's needs with a reasonable reserve.

The Commission appreciates the input from the industry and finds the recommendation to maintain Program fees at the current levels, reasonable. However, the Commission will continue to closely monitor the financial situation of the industry and the Department, especially during the traditionally slower winter months, and will reevaluate the fees and make adjustments accordingly.

Therefore, the Commission finds the recommendation by Director Luttich is reasonable and the seal fee for the Modular Housing Program should remain at nineteen-cents (\$.19) per square foot of gross space per modular housing unit and the new manufacturer plan review fee should remain at One Thousand Eight Hundred dollars (\$1,800.00), effective November 1, 2018.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that, pursuant to the Nebraska Uniform Standards for Modular Housing Units Act, the Modular Housing Program seal fee should be set at nineteen-cents (\$.19) per square foot of gross space per modular housing unit; minimum fee of One Hundred dollars (\$100.00) per modular housing unit and maximum fee of One Thousand dollars (\$1,000.00) per modular housing unit and the new manufacturer plan review fee should remain at its current level of One Thousand Eight Hundred dollars (\$1,800.00), effective November 1, 2018.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 18<sup>th</sup> day of September, 2018.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Crystal Snodgrass*  
*Tim Johnson*

//s//Rod Johnson  
//s//Frank E. Landis

Chair

*Rod Johnson*

ATTEST:

*Michael B. Hill*  
Executive Director