

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) APPLICATION NO. MODF-13
Commission, on its own motion,)
seeking to determine the seal) ORDER SETTING FEE
fee amount for the Modular)
Housing Program.) ENTERED: September 10, 2019

BY THE COMMISSION:

On July 30, 2019, the Nebraska Public Service Commission ("Commission") entered an order opening the above-captioned proceeding to determine the appropriate seal fee for the Modular Housing Program ("Program") and to set a hearing. Notice of the Proceeding appeared in The Daily Record, Omaha, Nebraska, on August 2, 2019.

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 (2018). 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.¹ 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 August 27, 2019, 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 there are two fees in the Modular Housing Program. There is a one-time fee per new manufacturer to submit their plans and specifications. Director Luttich stated the Department receives one or two such fees each year. Director Luttich recommended that

¹ Neb. Rev. Stat. § 71-1559(4) (2018).

fee remain at One Thousand Eight Hundred dollars (\$1,800.00). Director Luttich recommended the current seal fee of nineteen-cents (\$.19) per square foot of gross space per modular housing unit should remain unchanged. This fee covers the Department's inspection time at the factories as well as the in-office plan review time. Director Luttich testified regarding the Public Service Commission Housing and Recreational Vehicle Cash Fund ("Cash Fund"). The Cash Fund is used to fund all programs within the Department. Director Luttich testified the Cash Fund balance as of the date of the hearing was around Three Hundred Sixty Thousand dollars (\$360,000.00). Director Luttich stated that if the Department no longer received income, the Cash Fund could fund all departmental programs for an additional eight months.

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 an eight-month reserve to fund the Department's needs with a reasonable reserve.

The Commission 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 and will reevaluate the seal fee and make adjustments accordingly before the next annual review if necessary.

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, 2019.

O R D E R


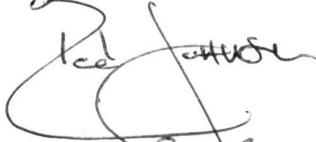

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that, pursuant to the Nebraska Uniform Standards for Modular Housing Units Act, the Modular Housing Program seal fee should be set at nineteen-cents (\$.19) per square foot of gross space per modular housing unit; minimum fee of One Hundred 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 should remain at its current level of One Thousand Eight Hundred dollars (\$1,800.00), effective November 1, 2019.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 10th day of September, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chair

ATTEST:


Executive Director

