

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, ) APPLICATION NO. MODF-5  
on its own motion, seeking to )  
determine the seal fee amount ) ORDER SETTING FEE  
for the Modular Housing Program. )  
)  
) ENTERED: October 12, 2011

BY THE COMMISSION:

The above-captioned proceeding was opened by the Commission, on its own motion, to determine the appropriate seal fee for the Modular Housing Program. The Commission is charged by statute to hold an annual public hearing to determine the amount of seal 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 (2010 Cum. Supp.)*. The 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 fee is currently set at forty-cents (\$.40) per square foot.

Notice of the proceeding appeared in The Daily Record, Omaha, Nebraska, on August 29, 2011. The order opening the above-captioned docket and setting the hearing was entered on August 23, 2011, and mailed to all interested parties. A Public hearing was held on September 27, 2011 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 that based on his review of the program's expenses and revenues, the revenue generated by the present seal fee are meeting the expense of the program. The Department has made efforts to reduce costs by reducing staff. The reduction in costs with the current seal fee revenues is enabling the program generate sufficient revenue to fund the program.

The current seal fee is set at forty-cents (\$.40) 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. Director Luttich recommended that the seal fee for the Modular Housing Program remain at current levels.

<sup>1</sup> *Neb. Rev. Stat. § 71-1559(4) (2010 Cum. Supp.)*.

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The Commission finds that the recommendation of Director Luttich is reasonable and the seal fee for the Modular Housing Program should remain at forty-cents (\$.40) per square foot.

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 remain at forty-cents (\$.40) 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.

MADE AND ENTERED at Lincoln, Nebraska, this 12<sup>th</sup> day of October, 2011.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Bruce Boyle*

*Gerald L. Vop*

*Frank Landis*

//s// Frank Landis

//s// Tim Schram

*Tim Schram*  
Chairman

ATTEST:

*Shirley Sp*  
Executive Director