

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BARBARA GRAVES,)	
COLDSTREAM VENTURES ONE, LLC)	
)	
COMPLAINANT)	
)	CASE NO.
V.)	2010-00450
)	
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

O R D E R

Barbara Graves has filed a formal complaint with the Commission against Kentucky Utilities Company ("KU"). The bill attached to the formal complaint indicates that the KU account is in the name of Coldstream Ventures 1, for service rendered at 1501 Bull Lea Road. The bill identifies "Cold Stream Ventures 1" and "KY Technology Inc" on the mailing address. It does not appear that the complaint in question concerns an account in the name of Ms. Graves.

According to the records of the Kentucky Secretary of State, two entities named Coldstream Ventures One, LLC have been in existence in Kentucky. Coldstream Ventures One, LLC with Secretary of State organization number 0462250 was organized on September 18, 1998 and administratively dissolved on November 2, 2006. Coldstream Ventures One, LLC with Secretary of State organization number 0654047

was organized on January 3, 2007 and administratively dissolved on November 3, 2009.

According to the records of the Kentucky Secretary of State, Kentucky Technology, Inc. is a Kentucky corporation, active and in good standing. Its principal office is identified as 1500 Bull Lea Road, Suite 100, Lexington, Kentucky 40511.

The complaint is signed by Barbara Graves on behalf of "Coldstream Ventures One, LLC/Kentucky Technology Inc." On information and belief, Ms. Graves is not an attorney licensed to practice law in Kentucky.

No person may engage in the practice of law in Kentucky without first obtaining a license to practice.¹ The practice of law is:

[A]ny service rendered involving legal knowledge or legal advice, whether of representation, counsel or advocacy in or out of court, rendered in respect to the rights, duties, obligations, liabilities, or business relations of one requiring the services.²

It includes, as Kentucky's highest court held in Kentucky State Bar Association v. Henry Vogt Machine Co., 416 S.W.2d 727 (Ky. 1967), the representation of a corporation before a state administrative agency.

As to its own proceedings, this Commission has adopted a similar position and has required that those representing the interests of others before us be licensed attorneys. In a previous case, the Commission ordered that:

[A]ny attorney who is not licensed to practice in the State of Kentucky and who seeks to represent a client or employer before this Commission must engage a member of the Kentucky Bar Association. It logically follows that if an

¹ SCR 2.100.

² SCR 3.020.

unlicensed attorney may not represent a client before this Commission, neither may a layman.³

Commission regulations concerning formal complaints incorporate, at least in part, these sentiments. 807 KAR 5:001, Section 12(2), states in part: "Complaints by corporations or associations, or any other organization having the right to file a complaint, must be signed by its attorney and show his post office address." The regulation requires that a corporation or other organization, from the outset of a complaint proceeding, be represented by an attorney.


Based on the above, the Commission finds that the complaint of Coldstream Ventures One, LLC/Kentucky Technology, Inc. fails to comply with Kentucky law and should not be accepted for filing. The Commission further finds that Coldstream Ventures One, LLC and Kentucky Technology, Inc. shall be afforded the opportunity to file a complaint signed by an attorney licensed to practice law in Kentucky.

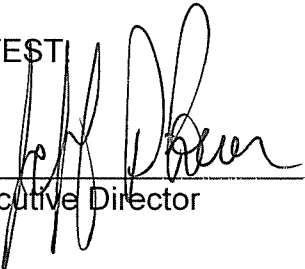
IT IS THEREFORE ORDERED that:

1. The complaint is rejected for filing.
2. Coldstream Ventures Onc, LLC/Kentucky Technology, Inc. shall be permitted to file a complaint submitted by an attorney licensed to practice in Kentucky within 20 days of the date of this Order.

³ Administrative Case No. 249, Practice Before the Commission by Attorneys Non-Licensed in the Commonwealth of Kentucky, at 2 (Ky. PSC June 15, 1981).

By the Commission

ENTERED 
DEC 10 2010
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST


Executive Director

Lonnie E Bellar
VP - State Regulation
Kentucky Utilities Company
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P. O. Box 32010
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Barbara Graves
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