

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|---------------------------------|---|------------|
| RICHARD BUDGE AND MARGAUX FARM |) | |
| |) | |
| COMPLAINANTS |) | |
| |) | CASE NO. |
| V. |) | 2025-00035 |
| |) | |
| KENTUCKY-AMERICAN WATER COMPANY |) | |
| |) | |
| DEFENDANT |) | |

ORDER

On February 7, 2025, Richard Budge, on behalf of Margaux Farms, tendered for filing a complaint against Kentucky-American Water Company (Kentucky-American). On information and belief, Mr. Budge 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.

The practice of law is any 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.¹

It includes the representation of a business before a state administrative agency as Kentucky's highest court held in *Kentucky State Bar Association v. Henry Vogt Machine Co.*,² which stated that:

¹ Kentucky Supreme Court Rule 3.020.

² *Kentucky State Bar Association v. Henry Vogt Machine Co.*, 416 S.W.2d 727 (Ky. 1967).

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

Commission regulations incorporate these sentiments. Commission regulation 807 KAR 5:001, Section 4(4), states in part: “A person shall not file a paper on behalf of another person, or otherwise represent another person, unless the person is an attorney licensed to practice law in Kentucky or an attorney who has complied with SCR 3.030(2).”

Based on the above, the Commission finds that the complaint in this matter was tendered in a manner inconsistent with 807 KAR 5:001, Section 4(4), thus should be rejected for filing. The Commission further finds that Margaux Farm should be granted 20 days from the date of service of this Order to engage an attorney, licensed to practice law in Kentucky, to enter an appearance in this matter, and tender its complaint or otherwise show cause why this matter should not be dismissed.

IT IS THEREFORE ORDERED that:

1. The complaint tendered by Richard Budge on behalf of Margaux Farm is rejected for filing.
2. Within 20 days of the date of service of this Order, Margaux Farm, shall have an attorney, licensed to practice law in Kentucky, to enter an appearance in this matter and tender its complaint or otherwise show cause why this matter should not be dismissed.


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


3. A copy of this Order shall be served on Complainants through the U.S. Postal Service, by Certified Mail, return receipt requested, and First-Class mail at Margaux Farm, 596 Moore's Mill Road, Midway, Kentucky 40347.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



Case No. 2025-00035

*Kentucky-American Water Company
2300 Richmond Road
Lexington, KY 40502

*Richard Budge
General Manager
Margaux Farm
596 Moores Mill Road
Midway, KY 40347