

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|----------------------------------|---|-----------------|
| SAM HARDY |) | |
| |) | |
| COMPLAINANT |) | |
| |) | |
| v. |) | CASE NO. 97-441 |
| |) | |
| KENTUCKY TURNPIKE WATER DISTRICT |) | |
| |) | |
| DEFENDANT |) | |

O R D E R

On November 14, 1997, the Commission ordered Kentucky Turnpike Water District ("Kentucky Turnpike") to satisfy the matters complained of in Mr. Hardy's Complaint or to file a written answer. By letter dated November 17, 1997, Raymond Abell, Kentucky Turnpike's District Manager, responded on behalf of the Defendant.

The Commission cannot accept this letter as the Defendant's Answer. Representation of a corporation or governmental agency before an administrative agency is considered the practice of law and must be performed by a licensed attorney. Kentucky Bar Ass'n v. Henry Vogt Machine Co., Ky., 416 S.W.2d 727 (1967). The Commission has previously required that no person may represent a client or employer before the Commission unless he or she is licensed to practice law in Kentucky. See Administrative Case No. 249, Practice Before the Commission (Ky.P.S.C. June 15, 1981) at 1 - 2. Nothing in the record indicates that Mr. Raymond has such license.

IT IS THEREFORE ORDERED that:

1. Kentucky Turnpike's response to the Commission's Order of November 14, 1997 is rejected.
2. Kentucky Turnpike shall file with the Commission an Answer to the Complaint within 20 days of the date of this Order in compliance with Commission Regulation 807 KAR 5:001, Section 12. This Answer shall be signed by Kentucky Turnpike's attorney.
3. Kentucky Turnpike shall serve a copy of its Answer upon the Complainant.
4. Failure to file an Answer within the prescribed time may subject Kentucky Turnpike to entry of a final order by default.

Done at Frankfort, Kentucky, this 23rd day of January, 1998.

PUBLIC SERVICE COMMISSION



For the Commission

ATTEST:



Executive Director