

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST OF RICHARDSVILLE GAS) CASE NO.
COMPANY, INC. TO ABANDON FACILITY) 2013-00234
PURSUANT TO KRS 278.021, SECTION 2(B))

ORDER

On June 19, 2013, Richardsville Gas Company, Inc. ("Richardsville Gas"), a utility engaged in the distribution and sale of natural gas for compensation,¹ submitted a letter requesting authority to abandon its facilities. The letter was signed by Richardsville Gas's president, Glenn Miller. Since the initiation of the proceeding, Richardsville Gas has responded to two requests for information and attended an informal conference. On January 13, 2014, the Commission issued an Order scheduling a hearing in this matter for March 4, 2014.

The Commission, on its own motion, finds that no person may engage in the practice of law in Kentucky without first obtaining a license to practice. Moreover, corporations are barred from practicing law.² 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,

¹ KRS 278.010(3)(b).

² *Kentucky State Bar Association v. First Federal Savings and Loan Assoc. of Covington*, 342 S.W.2d 397, 399-400 (Ky. 1961).

liabilities, or business relations of one requiring the services."³ It includes the representation of a corporation before a state administrative agency.⁴

As to our own proceedings, this Commission has adopted an analogous position and has required that those representing the interests of others before us be licensed attorneys. The Commission has previously held 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 unlicensed attorney may not represent a client before this Commission, neither may a layman.⁵

Richardsville Gas is organized as a corporation under the laws of the Commonwealth of Kentucky.⁶ On information and belief, neither Glenn Miller nor Richardsville Gas's vice president, Joan Miller, is an attorney licensed to practice law in the Commonwealth of Kentucky. Accordingly, at the March 4, 2014 Hearing, Richardsville Gas must be represented before the Commission by counsel licensed to practice in the Commonwealth of Kentucky.

IT IS THEREFORE ORDERED that:

1. At the March 4, 2014 Hearing in this matter, Richardsville Gas shall be represented by an attorney licensed to practice law in the Commonwealth of Kentucky.

³ Supreme Court Rule 3.020.

⁴ *Kentucky State Bar Association v. Henry Vogt Machine Co.*, Ky., 416 S.W.2d 727 (1967); Kentucky Bar Association Unauthorized Practice of Law Opinion KBA U-34 (July 1981).

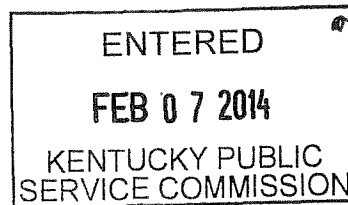
⁵ Administrative Case No. 249, *Practice Before the Commission by Attorneys Non-Licensed in the Commonwealth of Kentucky* (Ky. PSC June 15, 1981).

⁶ Kentucky Secretary of State Online Database, available at [https://app.sos.ky.gov/ftshow/\(S\(htq03n5340kiw4p421v1gwk3\)\)/default.aspx?path=ftsearch&id=0080327&ct=09&cs=999999](https://app.sos.ky.gov/ftshow/(S(htq03n5340kiw4p421v1gwk3))/default.aspx?path=ftsearch&id=0080327&ct=09&cs=999999).

2. No later than February 25, 2014, Richardsville Gas shall file with the Commission a list of the persons it intends to call as witnesses at the scheduled hearing.

3. All provisions of the Commission's January 13, 2014 Order scheduling the March 4, 2014 Hearing remain in effect.

By the Commission



ATTEST:



Executive Director

Case No. 2013-00234

Mr. Glenn Miller
President
Richardsville Gas Company, Inc.
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