COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

HOGER DIZAYEE / ERBIL, LLC) COMPLAINANT) V.) LOUISVILLE GAS AND ELECTRIC COMPANY) DEFENDANT)

CASE NO. 2017-00124

ORDER

On March 8, 2017, the Commission received a formal complaint from Hoger Dizayee, filed on behalf of himself and Erbil LLC, against Louisville Gas and Electric Company ("LG&E"). The complaint alleges that LG&E improperly back billed Erbil LLC for electric service at 5014 Poplar Level Road, Louisville, Kentucky. Attached to the complaint are copies of LG&E's billing statements showing the account in the name of "Erbil LLC." Based on a review of the complaint, it does not appear that Mr. Dizayee is an attorney licensed to practice law in Kentucky. No attorney's signature appears on his formal complaint. No person may engage in the practice of law in Kentucky without first obtaining a license to practice. 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.¹

¹ Kentucky Supreme Court Rule 3.020.

It includes the representation of a corporation before a state administrative agency.²

As to its own proceedings, the Commission has adopted regulations concerning the practice of law. 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" In addition, the Commission's regulation on formal complaints, 807 KAR 5:001, Section 20(2), states in part, "A complaint by a corporation, association, or another organization with the right to file a complaint, shall be signed by its attorney." These regulations require that a corporation or other organization, from the outset of a complaint proceeding, be represented by an attorney. Here, the complaint involves electric service provided by LG&E to Erbil LLC, a Kentucky Limited Liability Company.

Based on the above, the Commission finds that Mr. Dizayee's complaint fails to comply with Kentucky law and should not be accepted for filing.

IT IS THEREFORE ORDERED that:

1. Mr. Dizayee's complaint on behalf on Erbil LLC is rejected for filing due to the omission of the signature of an attorney as required by Commission regulations as set forth in 807 KAR 5:001.

2. Erbil LLC shall be granted 14 days from the date of this Order to refile a complaint signed by an attorney licensed to practice law in the Commonwealth of Kentucky in compliance with 807 KAR 5:001.

If Erbil LLC fails to timely refile a complaint that complies with 807 KAR
5:001, Section 20(2), such failure will result in the dismissal of this case without further
Order and this case shall be removed from the Commission's docket.

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

By the Commission



ATTEST: Mathems Executive Director

Case No. 2017-00124

Hoger Dizayee Erbil, LLC 5014 Poplar Level Rd Louisville, KENTUCKY 40219

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