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PUBLIC SERVICE
COMMISSION

**TO: Executive Director – Kentucky PSC
General Counsel – Kentucky PSC
Executive Director – Kentucky Bar Association**

Notice of Unauthorized Practice of Law

It has come to the attention of members of the utility community that Cellere, LLC, a Michigan Limited Liability Company, not even authorized to do business in Kentucky, is being allowed to file applications before the Public Service Commission on behalf of Central States Tower Holdings, LLC and represent that entity in proceedings before the Commission. Cellere, LLC, is not a law firm and its personnel signing applications are not Kentucky-licensed attorneys. This unauthorized practice of law is evident in at least the following pending PSC cases: 2008-00261, 2008-00260, 2008-00258 and perhaps other pending cases. New Cingular Wireless PCS, LLC is listed as the utility on these applications.

These circumstances are inconsistent with the past practice of the Commission which has always required an attorney licensed in the Commonwealth of Kentucky to represent entities before the Commission. See Kentucky State Bar Ass'n v. Henry Vogt Machine Co., 416 S.W.22 727 (Ky. 1967). See KBA Unauthorized Practice Opinions U-3, U-15, U-17, U-27, and U-43 reflecting the longstanding law on this issue. No interim change in applicable law has occurred. Consequently, Cellere, LLC, is being allowed to engage in unauthorized practice either through inadvertence, misrepresentation by him, or favoritism. Whatever the reason, the unauthorized practice of law calls into question the integrity of pending proceedings and the validity of any applications which have been approved with Cellere, LLC representing the applicant in the past. There are also equal protection issues in regard to why other applicants have been required to retain counsel to represent them on applications at significant cost and why Cellere, LLC and Central States Tower Holdings, LLC have not been required to do so.

We anticipate that bringing this matter to the Commission and KBA's attention will lead to prompt corrective action.