

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KOPPEL ASSOCIATES, LLC)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2012-00179
)	
HARDIN COUNTY WATER DISTRICT #1)	
)	
DEFENDANT)	

O R D E R

Dayrl Koppel, individually, d/b/a Koppel Associates, LLC, filed a formal complaint against Hardin County Water District #1 alleging, primarily, inadequate notice regarding the installation of a master meter at the Park Valley Mobile Home Park and inadequate notice of changes in billing policies by Hardin County Water District #1, resulting in an allegedly untimely bill for water and sewer services in excess of \$13,000.00.

Koppel Associates, LLC ("Koppel Associates") is a Kentucky Limited Liability Company (Organization Number 0484920) and is authorized by the Office of the Secretary of State of the Commonwealth of Kentucky to do business in Kentucky. Because Koppel Associates is a limited liability company, an attorney licensed to practice in Kentucky must represent Koppel Associates before the Commission.

Kentucky's highest court held in *Kentucky State Bar Association v. Henry Vogt Machine Co.*, 416 S.W.2d 727 (Ky. 1967), that a corporation must be represented by counsel before a state administrative agency.

In a previous matter before the Public Service Commission of Kentucky it was held:

[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.¹

Commission regulations concerning formal complaints incorporate, at least in part, these sentiments. Administrative Regulation 807 KAR 5:001, Section 12(2), states in part:

Complaints by corporations or associations, or any other organization having the right to file a complaint, must be signed by its attorney and show his post office address.

The regulation requires that a corporation or other organization, such as an LLC, from the outset of a complaint proceeding, be represented by an attorney.

Based on the above, the Commission finds that Koppel Associates' complaint fails to comply with Kentucky law and may not be accepted for filing.

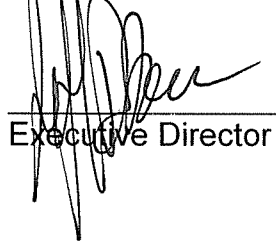
IT IS THEREFORE ORDERED that Koppel Associates, within 20 days of the date of this Order, retain counsel and file an amended complaint with the Commission reflecting such retention and representation of counsel. Failure to file an amended complaint will result in the Commission's dismissal of Koppel Associates' complaint.

¹ Administrative Case No. 249, *Practice Before the Commission by Attorneys Non-Licensed in the Commonwealth of Kentucky* (Jun. 15, 1981) at 2.

By the Commission

ENTERED *MA*
JUN 12 2012
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2012-00179

Jim Bruce
General Manager
Hardin County Water District #1
1400 Rogersville Road
Radcliff, KY 40160

Dayrl Koppel
Koppel Associates
132 Outer Loop
Louisville, KENTUCKY 40214