

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TRISH R. BROWN		)	
	COMPLAINANT	)	
V.		)	CASE NO.
		)	2018-00345
NOLIN RURAL ELECTRIC COOPERATIVE CORPORATION		)	
		)	
	DEFENDANT	)	

ORDER

On October 1, 2018, Trish Brown tendered a Complaint against Nolin Rural Electric Cooperative Corporation (Nolin RECC). On October 26, 2018, the Commission issued an order requiring Nolin RECC to either answer or satisfy Ms. Brown’s Complaint. On behalf of Nolin RECC, Cheryl G. Thomas tendered an answer to Ms. Brown’s Complaint on November 5, 2018. On information and belief, Ms. Thomas is not an attorney licensed to practice law in Kentucky.

No person may engage in the practice of law in Kentucky without first obtaining a license to practice.

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, liabilities, or business relations of one requiring the services.<sup>1</sup>

<sup>1</sup> Kentucky Supreme Court Rule 3.020.

It includes, as Kentucky's highest court held in *Kentucky State Bar Association v. Henry Vogt Machine Co.*, 416 S.W.2d 727 (Ky. 1967), the representation of a business before a state administrative agency.

[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.<sup>2</sup>

Commission regulations incorporate these sentiments. 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 or an attorney who has complied with SCR 3.030(2)."

Based on the above, the Commission finds that Nolin RECC's answer fails to comply with Kentucky law and cannot be accepted for filing. We further find that Nolin RECC should be granted ten days from the date of this Order to have an attorney licensed to practice law in Kentucky file a signed answer in this case.

IT IS THEREFORE ORDERED that:

1. The answer filed by Nolin RECC is rejected for filing.
2. Within ten days of the date of this Order, Nolin RECC shall have an attorney licensed to practice law in Kentucky file a signed answer.

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<sup>2</sup> Administrative Case No. 249, *Practice Before the Commission by Attorneys Non-Licensed in the Commonwealth of Kentucky* (Ky. PSC June 15, 1981) at 2.

By the Commission

ENTERED  
DEC 18 2018  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
\_\_\_\_\_  
Executive Director

Case No. 2018-00345

Trish R Brown  
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