COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

in the Matter of:				
	RANDAL E. NIELSEN)	
	COMPLAINANT)	CASENO
	V.)	CASE NO. 2019-00295
	EAST LOGAN WATER DISTRICT)	
	С	DEFENDANT)	

ORDER

On September 16, 2019, Linda Alexander, on behalf of East Logan Water District (East Logan District) filed an answer to the complaint which is the subject of this proceeding. On information and belief, Ms. Alexander 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.¹

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 corporation before a state administrative agency.

¹ Kentucky Supreme Court Rule 3.020.

[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.²

It logically follows that if an unlicensed attorney may not represent a client before this Commission, neither may a layman.

Commission regulations incorporate, at least in part, these sentiments. As 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 East Logan District's answer fails to comply with Kentucky law and should not be accepted for filing. We further find that East Logan District should be permitted to file an answer within ten days of the date of this Order that complies with 807 KAR 5:001.

IT IS THEREFORE ORDERED that:

- 1. The answer filed by East Logan District is rejected
- 2. Within ten days of this Order, East Logan District shall submit an answer that complies with 807 KAR 5:001.

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² 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

OCT 03 2019

KENTUCKY PUBLIC SERVICE COMMISSION

ATTEST:

Case No. 2019-00295

Randal E. Nielsen 4756 Morgantown Road Russellville, KENTUCKY 42276

*East Logan Water District, Inc. 333 S Franklin Street Russellville, KY 42276

*Linda Alexander East Logan Water District, Inc. 333 S Franklin Street Russellville, KY 42276