

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC 2019 INTEGRATED RESOURCE)	CASE NO.
PLANNING REPORT OF KENTUCKY POWER)	2019-00443
COMPANY)	

ORDER

On April 3, 2020, Simon Mahan, on behalf of Southern Renewable Energy Association (SREA), tendered for filing a motion requesting to be granted status as an intervenor in this proceeding. On information and belief, Mr. Mahan 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.

[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

¹ Kentucky Supreme Court Rule 3.020.

unlicensed attorney may not represent a client before this Commission, neither may a layman.²

Commission regulations incorporate, at least in part, these sentiments. Commission regulation 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 SREA’s motion fails to comply with Kentucky law and cannot be accepted for filing. We further find that SREA should be granted seven days from the date of this Order to have an attorney refile the motion to intervene.

IT IS THEREFORE ORDERED that:

1. SREA’s motion to intervene is rejected for filing.
2. Within seven days of the date of this Order, SREA shall have an attorney refile the motion to intervene.

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



ATTEST:

A handwritten signature in blue ink, consisting of stylized initials and a surname, positioned above a horizontal line.

Executive Director

Case No. 2019-00443

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