

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

WEST KENTUCKY RURAL TELEPHONE)	
COOPERATIVE CORPORATION, INC. DBA)	CASE NO.
WK&T, DBA WEST KENTUCKY AND)	2024-00389
TENNESSEE TELECOMMUNICATIONS)	

ORDER

On December 10, 2024, West Kentucky Rural Telephone Cooperative Corporation, Inc., dba WK&T, dba West Kentucky and Tennessee Telecommunications (West Kentucky Telephone) filed an application seeking to expand its eligible telecommunications carrier (ETC) service area for the purpose of providing Lifeline-only service in additional areas. West Kentucky Telephone was granted ETC designation by the Commission in Case No. 2021-00024,¹ for the limited purpose of receiving Federal High-Cost and Low-Income support from the Federal USF in the census blocks as stated in the application at Exhibit A,² and receiving Low-Income support from the federal and state USF in the area as depicted in the application at Exhibit B.³ The West Kentucky Telephone petition was filed by Jackie McCarthy, Authorized Representative, signed by Karen Jackson-Furman, COO, with correspondence and communication to be copied to

¹ Case No. 2021-00024, *Electronic Application of West Kentucky Rural Telephone Cooperative Corporation, Inc. Eligible Telecommunications Certification* (Ky. PSC Apr. 9, 2021).

² Case No. 2021-00024, *Electronic Application of West Kentucky Rural Telephone Cooperative Corporation, Inc. Eligible Telecommunications Certification* (Ky. PSC Apr. 9, 2021), Exhibit A.

³ Case No. 2021-00024, *Electronic Application of West Kentucky Rural Telephone Cooperative Corporation, Inc. Eligible Telecommunications Certification* (Ky. PSC Apr. 9, 2021), Exhibit B.

Melvin J. Malone, Attorney. On information and belief, neither Jackie McCarthy, Karen Jackson-Furman, nor Melvin J. Malone are attorneys 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.⁴ This includes the representation of a business before a state administrative agency.⁵

As stated by the Commission in Case No. 249, “[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.”⁶

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 foregoing, the Commission finds that West Kentucky Telephone’s petition for designation as an eligible telecommunications carrier in the Commonwealth

⁴ Kentucky Supreme Court Rule 3.020.

⁵ *Kentucky State Bar Association v. Henry Vogt Machine Co.*, 416 S.W.2d 727 (Ky. 1967).

⁶ Administrative Case No. 249, *Practice Before the Commission by Attorneys Non-Licensed in the Commonwealth of Kentucky* (Ky. PSC June 15, 1981) at 2.

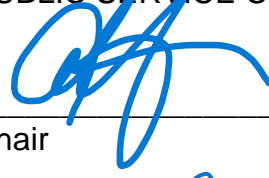
of Kentucky fails to comply with Kentucky law and should not be accepted for filing. The Commission further finds that West Kentucky Telephone should be granted ten days from the date of this Order to have an attorney licensed to practice law in Kentucky to file an entry of appearance in this case. West Kentucky Telephone's failure to have an attorney file a timely entry of appearance in this case will result in the case being dismissed without prejudice.

IT IS THEREFORE ORDERED that:

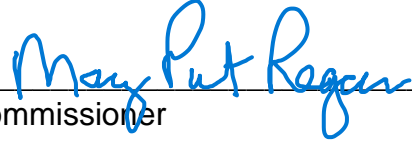
1. The West Kentucky Telephone's petition for designation as an eligible telecommunications carrier in the Commonwealth of Kentucky is rejected for filing.

2. Within ten days of the date of this Order, West Kentucky Telephone shall have an attorney licensed to practice law in Kentucky file an entry of appearance. Failure to have an attorney file an entry of appearance in this case will result in it being dismissed without prejudice and removed from the Commission's docket without further Order.

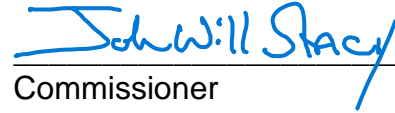
PUBLIC SERVICE COMMISSION



Chair



Commissioner



Commissioner

ATTEST:



RP

Executive Director



*West Kentucky Rural Telephone Cooperative
100 WK&T Technology Drive
P. O. Box 649
Mayfield, KY 42066-0649

*Karen Jackson-Furman
West Kentucky Rural Telephone Cooperative
100 WK&T Technology Drive
P. O. Box 649
Mayfield, KY 42066-0649

*Melvin Malone
Butler Snow LLP
150 3rd Avenue South
Suite 1600
Nashville, TENNESSEE 37201