

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF	)	
JURISDICTIONAL STATUS OF ORBIT GAS	)	
TRANSMISSION, INC., AND OF ITS	)	CASE NO.
COMPLIANCE WITH KRS CHAPTER 278, 807	)	2025-00017
KAR CHAPTER 005, AND 49 CFR PARTS 191	)	
AND 192	)	

ORDER

On July 1, 2025, the Commission entered an Order opening an investigation into the jurisdictional status of Orbit Gas Transmission, Inc. (Orbit). The Order required Orbit to provide certain information within seven days of entry of the Order and additional information within 14 days of entry of the Order.<sup>1</sup>

Initially, Orbit failed to file anything in response to the Order. The Order was served by email, and because of concern that the utility did not receive the Order, the Order was re-served on August 28, 2025, to the utility's physical address via certified mail.

On September 9, 2025, Orbit filed responses to the Commission's Order. Orbit's President, Jim Martin, signed the responses. Jim Martin is not an attorney licensed in Kentucky according to the Kentucky Bar Association's website.<sup>2</sup>

All papers filed in a case must be signed by the submitting party or the attorney for the submitting party.<sup>3</sup> A person who is not the submitting party may not file a paper on

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<sup>1</sup> Order (Ky. PSC July 1, 2025) at 6-7.

<sup>2</sup> <https://kybar.org/For-Public/Find-a-Lawyer>.

<sup>3</sup> 807 KAR 5:001, Section 4(3)(a).

behalf of the party “unless the person is an attorney licensed to practice law in Kentucky or an attorney who has complied with SCR 3.030(2).”<sup>4</sup> Additionally, in *Kentucky State Bar Association v. Henry Vogt Machine Co.*, the Kentucky Court of Appeals held that corporations must be represented by counsel before a state administrative agency.<sup>5</sup> As the Commission has previously found, the regulatory framework, properly understood, requires “that a corporation or other organization, such as an LLC . . . be represented by an attorney.”<sup>6</sup>

Based upon the foregoing, the Commission finds that Orbit should acquire counsel who is licensed to practice law in the Commonwealth of Kentucky, or who can demonstrate compliance with SCR 3.030(2),<sup>7</sup> and that said counsel should enter an appearance in this case within 30 days of the issuance of this Order. The Commission further finds that the attorney should affirm by filing of an affidavit or, if necessary, correct the information submitted in previous papers filed in this case.

IT IS THEREFORE ORDERED that:

1. Orbit shall retain counsel to represent it in this case.
2. Said counsel shall enter an appearance in this matter within 30 days of the issuance of this Order.
3. Said counsel shall, in its entry of appearance, affirm by affidavit or, if necessary, correct the information submitted in previous papers filed in this case.

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<sup>4</sup> 807 KAR 5:001, Section 4(4).


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

<sup>6</sup> Case No. 2012-00179, *Koppel Associates, LLC vs. Hardin County Water District #1* (Ky. PSC June 12, 2012), Order at 2.

<sup>7</sup> Kentucky Supreme Court Rule 3:030(2)

PUBLIC SERVICE COMMISSION

  
Chairman

  
Commissioner

  
Commissioner

ATTEST:

  
Executive Director



Case No. 2025-00017

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