

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of )  
Granite Telecommunications, LLC for ) File No. LE-2012-0010  
Waiver of Certain Commission Rules and Statues )

## ORDER DIRECTING FILINGS

Issue Date: July 8, 2011

Effective Date: July 8, 2011

The Missouri Public Service Commission is ordering that:

- Any appearance on behalf of applicant shall be through a lawyer admitted to practice in Missouri, and
- Until such appearance, there is no need for Staff to file a recommendation.

On July 7, 2011, applicant filed an application for certificates of basic local and interexchange service authority. The application states that the person filing it is not applicant and includes allegations of legally significant facts for the Commission's consideration.

Such pleading on behalf of another person, including a legal entity, constitutes the practice of law.<sup>1</sup> The practice of law is void if done by a person not admitted to practice law in this State.<sup>2</sup> Admission to practice before the Commission is subject to Missouri Supreme Court Rule 9 and Commission Regulation 4 CSR 240-2.040, and the Commission has a duty to guard against the unauthorized practice of law.<sup>3</sup> Also, matters consisting of the unauthorized practice of law are void.<sup>4</sup> Therefore, compliance with those provisions

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<sup>1</sup> *Clark v. Austin*, 340 Mo 467, 101 S.W. 2d 977 (Mo 1937).

<sup>2</sup> *Reed v. Labor & Indus. Relat. Comm'n*, 789 S.W.2d 19, 22-23 (Mo. banc 1990).

<sup>3</sup> *Id.* at 23-24.

<sup>4</sup> *Id.* at 23.

determines whether the Commission will consider the application, which determines whether the Commission will need Staff's recommendation.

The application bears a signature but includes no Missouri Bar number and the Official Missouri Directory of Lawyers reveals no member of the Missouri Bar by that name. The Commission will allow time for applicant to show compliance with the provisions of law cited above before the Commission takes further action. The Commission will set the date for filing a recommendation depending on such compliance. Pending such actions, the parties may continue to discuss the issues in the application.

**THE COMMISSION ORDERS THAT:**

1. No later than July 18, 2011, applicant shall appear through a lawyer admitted to practice in Missouri.
2. Unless applicant complies with paragraph 1, Staff does not need to file a recommendation on the application.
3. If applicant complies with paragraph 1, Staff shall file its recommendation no later than July 28, 2011.
4. This order shall become effective immediately upon issuance.

( S E A L )

**BY THE COMMISSION**



Steven C. Reed  
Secretary

Daniel Jordan, Senior Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240.

Dated at Jefferson City, Missouri,  
on this 8<sup>th</sup> day of July, 2011.