BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of) Strategic Energy, L.L.C. for Certification) as a Seller of Energy Services in Missouri)

Case No. GO-2000-635

NOTICE OF DEFICIENCY IN APPLICATION

On April 11, 2000, Strategic Energy, L.L.C. (Strategic Energy) filed an Application for Certification as a Seller of Energy Services in the State of Missouri. Strategic Energy's application indicates that it is a limited liability company formed under the laws of Delaware. Strategic Energy's application is signed by Richard M. Zomnir, President and Chief Executive Officer of Strategic Energy. The application is not signed by an attorney licensed to practice law in Missouri.

A limited liability company is an artificial entity created by law. As such it cannot appear or act in person. "In legal matters, it must act, if at all, through licensed attorneys." *Clark v. Austin*, 340 Mo 467, 101 S.W.2d 977, 982-83 (1937). Strategic Energy's application was filed by a non-attorney and therefore it must be considered null and void. *Reed v. Labor and Industrial Relations Commission*, 789 S.W.2d 19 (Mo. banc 1990).

Because Strategic Energy's application is null and void, the Commission will be unable to take any action upon the application unless it is refiled on behalf of Strategic Energy by an attorney licensed to practice law in the state of Missouri. If Strategic Energy does wish to refile its application, it shall indicate that the application is filed in Case No. GO-2000-635.

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BY THE COMMISSION

Ade Hred Bbosts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

(SEAL)

Dated at Jefferson City, Missouri, on this 18th day of April, 2000.

Woodruff, Regulatory Law Judge

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