

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY**

**May 2, 2000**

**CASE NO: GO-2000-635**

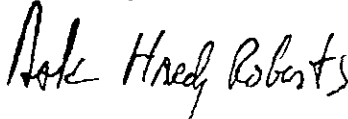
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**Hans Rottman**  
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Pittsburgh, PA 15222-1425

**Enclosed find certified copy of an ORDER in the above-numbered case(s).**

**Sincerely,**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 2nd  
day of May, 2000.

In the Matter of the Application of )  
Strategic Energy, L.L.C. for Certification ) Case No. GO-2000-635  
as a Seller of Energy Services in Missouri )

ORDER GRANTING CERTIFICATE AS AN ENERGY SELLER

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. On April 14, the Staff of the Commission (Staff) filed a recommendation and memorandum indicating that Strategic Energy's application complies with the requirements of 4 CSR 240-45.010. Staff recommends that the Commission approve the application as filed.

The Commission notes that Strategic Energy is an artificial entity, a limited liability company formed under the laws of Delaware. As an artificial entity, Strategic Energy cannot represent itself in legal matters. Clark v. Austin, 340 Mo 467, 101 S.W.2d 977 (1937). See also Reed v. Labor and Industrial Relations Commission, 789 S.W.2d 19 (Mo. banc 1990). Strategic Energy's application is signed by Richard M. Zomnir, its President and Chief Executive Officer. It is not signed by an attorney licensed to practice law in Missouri.

Despite the general prohibition against a corporation representing itself in legal matters, the Missouri Court of Appeals has

held that the drafting and filing by a corporation of an application that requires no legal skill or legal training is not the practice of law and need not be signed by an attorney. Department of Social Services v. Administrative Hearing Commission, 814 S.W.2d 700 (Mo. App. W.D. 1993). See also Division of Employment Security v. Westerhold, 950 S.W.2d 618 (Mo. App. E.D. 1997). The application that Strategic Energy filed is on a form prescribed by the Commission and is little more than a bare request that it be certified as a seller of energy services. The completion of the application does not require any legal skill or training. Therefore, under the previously cited holdings of the Missouri Court of Appeals, the Commission will accept the filing of Strategic Energy's application without requiring that it be signed by an attorney licensed to practice law in Missouri.

The Commission has reviewed the application and Staff's recommendation and concludes that the application should be granted.

**IT IS THEREFORE ORDERED:**

1. That Strategic Energy, L.L.C. is granted a certificate as an energy seller pursuant to 4 CSR 240-45.010.
2. That this order shall become effective on May 12, 2000.

3. That this case may be closed on May 15, 2000.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Lumpe, Ch., Murray, Schemenauer,  
and Drainer, CC., concur  
Crumpton, C., absent

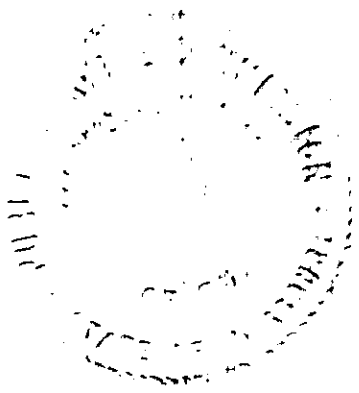
Woodruff, Regulatory Law Judge

ALJ/Secy: Woodruff/Boyer  
 Date Circulated: 4-27 CASE NO. 60-200-635  
 Lumpke, Chair: SA  
 Crumpton, Commissioner: absent  
 Murray, Commissioner: AS  
 Schemenauer, Commissioner: na  
 Drainer, Vice-Chair: \_\_\_\_\_  
 Agenda Date: 5-2  
 Action taken: 4-0 AS  
 Must Vote Not Later Than: \_\_\_\_\_

**STATE OF MISSOURI  
 OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and  
 I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,  
 Missouri, this 2<sup>nd</sup> day of May 2000.



Dale Hardy Roberts  
 Dale Hardy Roberts  
 Secretary/Chief Regulatory Law Judge