

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 3rd day of
January, 2014.

Lodges at Roark Creek COA,)	
)	
Complainant,)	
)	
v.)	<u>File No. WC-2014-0169</u>
)	
Missouri American Water Company,)	
)	
Respondent.)	

ORDER DISMISSING COMPLAINT

Issue Date: January 3, 2014

Effective Date: January 13, 2014

On December 2, 2013, Lodges at Roark Creek COA (“Complainant”) filed a complaint with the Missouri Public Service Commission (“Commission”) against Missouri-American Water Company. The complaint was signed on behalf of the Complainant by “Richard Kelly, Manager”. There is no indication in the complaint that Mr. Kelly is an attorney. The rules of practice before the Commission prohibit a non-attorney from representing a company. Commission Rule 4 CSR 240-2.040(5) states that while a natural person may represent himself or herself, “such practice is strictly limited to the appearance of a natural person on his or her own behalf and shall not be made for any other person or entity”.

On December 4, 2013, the Commission issued an *Order Directing Complainant to Show Cause Why Complaint Should Not Be Dismissed*, which set a deadline for the

Complainant to either file an entry of appearance by an attorney qualified to practice before the Commission or show cause why the complaint should not be dismissed. The Complainant did not file an entry of appearance or otherwise respond by the required deadline.

The Commission cannot consider a complaint brought by a company or other business entity unless that company is represented by an attorney licensed to practice law in the state of Missouri.¹ For that reason, the complaint must be dismissed. If the Complainant chooses to retain the services of an attorney to re-file this complaint it is free to do so.

THE COMMISSION ORDERS THAT:

1. Lodges at Roark Creek COA's complaint against Missouri-American Water Company is dismissed.
2. This order shall become effective on January 13, 2014.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

R. Kenney, Chm., Stoll, W. Kenney,
and Hall, CC., concur.

Bushmann, Regulatory Law Judge

¹ See, *Reed v. Labor and Industrial Relations Commission*, 789 S.W. 2d 19 (Mo. banc 1990); *Clark v. Austin*, 340 Mo. 467, 101 S.W.2d 977 (Mo. banc 1937).