

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

In the Matter of Hickory Hills Water & Sewer Co.'s ) **Case No. WR-2006-0250**  
Request for a Small Company Rate Increase ) Tariff No. YW-2006-0449

In the Matter of Hickory Hills Water & Sewer Co.'s ) **Case No. SR-2006-0249**  
Request for a Small Company Rate Increase ) **Tariff No. YS-2006-0448**

**NOTICE REGARDING REPRESENTATION**  
**AND ORDER DIRECTING FILING**

Issue Date: February 10, 2006

Effective Date: February 10, 2006

On December 12, 2005, Hickory Hills Water & Sewer Co., Inc., filed proposed tariffs that will increase its water and sewer service rates. The tariffs carried an effective date of February 1, 2006. Along with its tariffs, Hickory Hills filed a letter indicating that it had reached an agreement with the Staff of the Commission regarding disposition of its small company rate increase request. The Office of the Public Counsel is not a party to the agreement.

At the request of the Office of the Public Counsel, the Commission conducted a local public hearing in California, Missouri, on January 19, 2006, where testimony from customers of Hickory Hills was heard. On January 25, 2006, Public Counsel filed a Motion to Suspend Hickory Hill's tariff filings. Effective February 1, 2006, the Commission suspended Hickory Hill's revised tariffs until June 1, 2006, in order to conduct an evidentiary hearing.

On February 9, 2006, the Commission conducted a prehearing conference with the parties. Randy Clifford appeared for Hickory Hills and advised the Commission that Hickory Hills is in fact a corporation, registered with the Missouri Secretary of State, and that he has not retained the services of an attorney to prosecute this small company rate case to resolution.

Missouri law prohibits the practice of law without a license.<sup>1</sup> “An agent or attorney in fact, who is not an attorney at law, cannot file pleadings for another or otherwise practice law. A natural person, not a licensed attorney at law may represent themselves in court, but not others.”<sup>2</sup> Commission rules also provide that “[a] natural person may represent himself or herself. Such practice is strictly limited to the appearance of a natural person in his or her own behalf and shall not be made for any other person or entity.”<sup>3</sup>

Hickory Hills Water & Sewer Company is a corporation, therefore, an “other...entity” under Missouri law, and not a “natural person.” A person who is not a licensed attorney may not represent Hickory Hills before the Commission.

Mr. Clifford is advised that he is prohibited by law from representing the corporation, Hickory Hill Water & Sewer Company, before the Commission. If the corporation, Hickory Hills, wishes to proceed with its rate increase case, it will need to engage the services of an attorney licensed to practice law in Missouri. In the event some other arrangement can be contemplated by the parties whereby the corporation can make a submissible case without Mr. Clifford representing the company, the Commission will consider that arrangement if a proposal is filed with the Commission within fourteen (14) days of this order.

---

<sup>1</sup>. Section 484.010 and 484.020 RSMo. 2000.

<sup>2</sup>. *Risbeck v. Bond*, 885 S.W.2d 749, 750 (Mo. App. 1994)

<sup>3</sup>. 4 CSR 240-2.040(5)

**IT IS ORDERED THAT:**

1. Hickory Hills Water & Sewer Co., Inc., shall file a response to this order, setting forth its intentions with regard to hiring a licensed attorney, or making some other arrangement with the parties, within fourteen (14) days of the effective date of this order.
2. This order shall become effective on February 10, 2006.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

(S E A L)

Steven C. Reed, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 10th day of February, 2006.