

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

Lynn Oak Court Company d/b/a Summit)	
East Plaza Apts,)	
Complainant,)	
v.)	<u>File No. EC-2023-0113</u>
)	
Evergy Missouri West Inc. d/b/a Evergy)	
Missouri West,)	
Respondent.)	

NOTICE OF DEFICIENCY

Issue Date: September 26, 2022

On September 26, 2022, Lynn Oak Court Company d/b/a Summit East Apartments (Summit East) filed a complaint against Evergy Missouri West Inc. d/b/a Evergy Missouri West (Evergy). Summit East’s complaint indicated that it was represented by Lester Massood, GP, and the complaint was signed by Lester Massood. There is no indication that Lester Massood is an attorney licensed in the State of Missouri.

Commission Rule 20 CSR 4240-2.040(5), specifically addressing practice before the Commission, states:

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.

The underlying basis for this Commission Rule can be found in the Revised Statutes of Missouri at sections 484.010 and 484.020.¹ Section 484.010.1, RSMo. defines the practice of law, and states:

The "practice of the law" is hereby defined to be and is the appearance as an advocate in a representative capacity or the drawing of papers, pleadings or documents or the performance of any act in such capacity

¹ All statutory citations refer to RSMo. 2016 unless otherwise noted.

in connection with proceedings pending or prospective before any court of record, commissioner, referee or any body, board, committee or commission constituted by law or having authority to settle controversies.

Section 484.020, RSMo. restricts the practice of law and engagement in law business to licensed attorneys, and states in relevant part:

No person shall engage in the practice of law or do law business, as defined in section 484.010, or both, unless he shall have been duly licensed therefor and while his license therefor is in full force and effect...

Summit East must be represented by an attorney authorized to practice law in Missouri to appear before the Commission in this matter because it is not a natural person representing only itself. Summit East's complaint was filed by a non-attorney, and therefore it must be considered null and void.²

The Commission will not take action on Summit East's Complaint until this deficiency is corrected.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Ross Keeling, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo. 2016.

Dated at Jefferson City, Missouri,
on this 26th day of September, 2022.

² *Naylor Senior Citizens Housing, LP v. Side Const. Co., Inc.*, 423 S.W.3d 238 (Mo. banc 2014).


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 26th day of September, 2022.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

September 26, 2022

File/Case No. EC-2023-0113

**Missouri Public Service
Commission**

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Summit East Plaza Apts.

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Lees Summit, MO
summitbigman@yahoo.com

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.