

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Metro KC Emergency Communication Services, Inc.,)	
)	
Complainant,)	
)	
Vs.)	<u>File No.: EC-2019-0321</u>
)	
)	
Kansas City Power and Light Company)	
and Great Plains Energy Incorporated,)	
)	
Respondent)	

NOTICE OF DEFICIENCY

Issue Date: April 18, 2019

On April 18, 2019, Metro KC Emergency Communication Services, Inc. filed a formal Complaint against Kansas City Power and Light Company and Great Plains Energy Incorporated. The complaint was signed by one, Marc Jeffers. The Complaint is deficient in the following respects:

1. Per the Missouri Secretary of State's corporation website, Metro KC Emergency Communication Services, Inc. is a Missouri corporation, in good standing, created on August 22, 2018. Per the said website, its registered agent is:

Robert L. Nitsch
4863 Northwest Homestead Terrace, #200
Riverside, Missouri 64150

2. Commission Rule 4 CSR 240-2.040(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 basis for this Commission Rule is found in Sections 484.010 and 484.020, RSMO. Section 484.010 defines the practice of law as “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 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 restricts the practice of law and engagement in the law business to licensed attorneys.¹

It does not appear from the face of the Complaint that Marc Jeffers is duly licensed to practice law. The Complaint is defective in that the Complainant is a corporation and not a natural person; because the corporation’s Complaint, accordingly, must have been signed and presented by a duly licensed attorney; and because it is not apparent from the face of the Complaint that it has been signed or filed by a duly licensed attorney.

Because the Complaint is deficient, the Commission will take no further action in this matter until such time as the deficiency is corrected. Per Rule 4 CSR 240-2.116, the Commission may dismiss this cause for lack of prosecution if no action has occurred within 90 days.

¹ “The law does not treat individuals and corporations equally. The law allows an individual to bear the risk that representation without an attorney may entail. Natural persons may represent themselves in situations which, if done for someone else, would constitute the practice of law. Unlike individuals, corporations are not natural persons, but are creatures of statute. Businesses operating in corporate form are entitled to certain benefits that are denied to others. In addition to benefits, however, corporations also have certain restrictions placed upon them. One such restriction in Missouri is that a corporation may not represent itself in legal matters, but must act solely through licensed attorneys.” (Internal citations omitted). *Reed v. Labor and Indus. Relations Com'n*, 789 S.W.2d 19, 21 (Mo. banc 1990).



BY THE COMMISSION

Morris L. Woodruff

Morris L. Woodruff
Secretary

Paul T. Graham, Regulatory Law Judge,
by delegation of authority
pursuant to Section 386.240, RSMO 2000.

Dated at Jefferson City, Missouri,
on this 18th day of April, 2019.

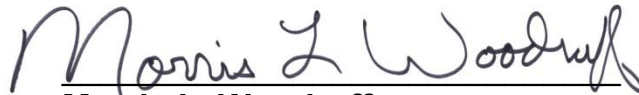
STATE OF MISSOURI

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 18th day of April 2019.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

April 18, 2019

File/Case No. EC-2019-0321

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@psc.mo.gov

**Great Plains Energy
Incorporated**

Legal Department
P.O. Box 418679
Kansas City, MO 64141-9679

**Kansas City Power & Light
Company**

Legal Department
One Kansas City Place, 1200
Main Street
PO Box 418679
Kansas City, MO 64105

**KC Emergency Communication
Services, Inc.**

Legal Department
2364 Jackson Street
Stoughton, WI 53589

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.