

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

In the Matter of the Application of )  
ValueMax Agri-Pro, LLC for Change of ) **File No. EO-2021-0141**  
Electric Supplier )

## NOTICE OF DEFICIENCY

Issue Date: November 13, 2020

On November 12, 2020, ValueMax Agri-Pro, LLC filed an application with the Missouri Public Service Commission (Commission) requesting that its electric supplier be changed from Barry Electric Cooperative to Ozark Electric Cooperative, Inc. The application of ValueMax Agri-Pro, LLC is signed by Benjamin Hubbard.

Missouri statute restricts the practice of law to licensed attorneys.<sup>1</sup> Commission Rule 20 CSR 4240-2.040(5), requires pleadings filed with the Commission to be signed by an attorney authorized to practice law in Missouri unless the entity signing the pleading is a natural person acting solely on his or her own behalf and representing only him or herself.

Mr. Hubbard is not identified as an attorney licensed to practice law in Missouri or any other state. The present application is filed on behalf of the corporation, ValueMax Agri-Pro, LLC and not Mr. Hubbard as an individual. ValueMax Agri-Pro, LLC not being a natural person representing only itself, must be represented by an attorney authorized to practice law in Missouri to appear before the Commission in this case.<sup>2</sup>

<sup>1</sup> Section 484.020, RSMo (2016).

<sup>2</sup> “A corporation is not a natural person. It is an artificial entity created by law. Being an artificial entity it cannot appear or act in person. It must act in all its affairs through agents or representatives. In legal matters, it must act, if at all, through licensed attorneys. (internal citation omitted) *Naylor Senior Citizens Housing, LP v. Side Construction Company, Inc.*, 423 S.W.3d 238, 243 (Mo. 2014) (en banc).

Therefore, the application is deficient in that it does not comply with Commission Rule 20 CSR 4240-2.040 requiring an entity to be represented by counsel. The Commission cannot take action on this application until this deficiency is corrected. The Commission will leave the file open until December 14, 2020, to allow ValueMax Agri-Pro, LLC to correct the deficiency. If no response is filed by that time, the Commission will reject the application and close the file.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Charles Hatcher, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 13<sup>th</sup> day of November, 2020.

**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 13<sup>th</sup> day of November, 2020.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**November 13, 2020**

**File/Case No. EO-2021-0141**

**Missouri Public Service  
Commission**

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Jefferson City, MO 65102  
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**Barry Electric Cooperative**

Legal Department  
4015 Main Street  
P.O. Box 307  
Cassville, MO 65625

**Ozark Electric Cooperative, Inc.**

Legal Department  
Highway 39 N.  
P.O. Box 420  
Mt. Vernon, MO 65712

**ValueMax Agri-Pro, LLC**

Legal Department  
4447 State Hwy B  
Purdy, MO 65734

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

***Sincerely,***



**Morris L. Woodruff  
Secretary**

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