

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Trigen-)
Kansas City Energy Corporation for a)
Certificate of Public Convenience and)
Necessity Authorizing It to Construct, Install,)
Own, Operate, Control, Manage and Maintain)
a Steam Heat Distribution System to Provide)
Steam Heat Service in Kansas City, Missouri,)
as an Expansion of Its Existing Certified Area)

Case No. HA-2006-0294

ORDER DIRECTING STAFF TO FILE A RECOMMENDATION

Issue Date: May 22, 2007

Effective Date: May 22, 2007

On January 10, 2006, Trigen-Kansas City Energy Corporation ("Trigen") filed an application for a certificate of convenience and necessity seeking authority to expand its service area in Kansas City, Missouri. Trigen wished to expand its service area to serve a prospective customer, Truman Medical Center (TMC), who had requested that Trigen provide TMC's property with steam heating service. The proposed expansion to the service area also contained other potential steam heat customers.

An evidentiary hearing was held in this matter on May 15, 2006, and the Commission issued its final Report and Order on May 25, 2006, bearing an effective date of June 1, 2006. In that Order, the Commission granted Trigen's application subject to the condition that TMC fund the cost of construction for the proposed extension of Trigen's facilities to serve TMC. In ordered paragraph number 4 of the Report and Order, the Commission directed Trigen and TMC to file a written agreement setting forth the details of

their construction and funding plans for the project, as well as their agreement regarding the mechanism for any refund to TMC for advancing construction costs.

On May 21, 2007, Trigen filed two highly confidential documents purporting to satisfy the Commission's order for filing the written agreements as directed in ordered paragraph 4 of the Commission's Report and Order. Trigen requests the Commission to receive these documents to be in full compliance with the Commission's May 25, 2006 Report and Order. Consequently, the Commission will direct its Staff to review the newly filed documents and file a report and recommendation as to whether Trigen is now in full compliance with the Commission's Report and Order and as to whether this case can now be finally closed.

IT IS ORDERED THAT:

1. No later than June 11, 2007, the Staff of the Missouri Public Service Commission shall file a report and recommendation regarding Trigen-Kansas City Energy Corporation's compliance filing stating whether Trigen-Kansas City Energy Corporation is in full compliance with the Commission's May 25, 2006 Report, and Order and stating whether this case may now be finally closed.

2. This order shall become effective on May 22, 2007.

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)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 22nd day of May, 2007.