

**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 GRANTING SECOND EXTENSION OF TIME FOR**  
**TRIGEN-KANSAS CITY ENERGY CORPORATION TO FILE A**  
**REPORT AND RECOMMENDATION**

Issue Date: December 20, 2007

Effective Date: December 20, 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 asked the Commission to receive these documents and find it to be in full compliance with the Commission's May 25, 2006 Report and Order. Consequently, the Commission directed 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 could be finally closed.

On June 11, 2007, Staff filed its recommendation. Staff recommended that Case No. HA-2006-0294 remain open until such time as the proposed construction is complete and service is established with TMC. Staff stated that this was expected to occur in September 2007. In the interest of ensuring full compliance with the Commission's May 22, 2006 Report and Order, Staff recommended that Trigen be directed to file a report and recommendation at the time the construction and all payments have been completed so that Staff may review all costs, payments and reimbursements associated with the construction.

The Commission found Staff's recommendation to be reasonable and ordered Trigen to file the report and recommendation as described above, or a status report, no later than October 1, 2007. On September 28, 2007, Trigen filed a status report requesting an extension of time to file its final report because of construction delays and the additional

time required to compile the necessary information. Trigen requested that it be allowed until December 31, 2007 to file the report and recommendation. The Commission found Trigen's request to be reasonable and granted it.

On December 19, 2007, Trigen filed a request for a second extension of time to file its report and recommendation. In its request Trigen states that additional construction delays outside of its control have again set back the estimated completion date for the construction. Trigen requests that it be allowed until March 31, 2008, to complete and file its final report and recommendation. The Commission finds Trigen's request to be reasonable and shall grant it.

**IT IS ORDERED THAT:**

1. Trigen-Kansas City Energy Corporation's Request for a second extension of time to file its report and recommendation is granted.
2. No later than March 31, 2008, Trigen-Kansas City Energy Corporation shall file a report and recommendation as delineated in the body of this order and the Commission's June 12, 2007 and October 2, 2007 orders.
3. The Commission reserves the right to consider any ratemaking treatment to be afforded the facilities, properties and transactions involved in this project in a later proceeding.

4. This order shall become effective on December 20, 2007.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a faint, illegible stamp.

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 20th day of December, 2007.