

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: August 4, 2008

Effective Date: August 4, 2008

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 requested the Commission to receive these documents to be in full compliance with the Commission's May 25, 2006 Report and Order. The Commission directed its Staff to review the newly filed documents and file a report and recommendation as to whether Trigen was in full compliance with the Commission's Report and Order.

On June 11, 2007, Staff filed its recommendation. Staff recommended that this case remain open until such time as the proposed construction was complete and service was established with TMC. Staff recommended that Trigen be directed to file a report and recommendation at the time the construction and all payments had been completed so that Staff could review all costs, payments and reimbursements associated with the construction. The Commission found Staff's recommendation to be reasonable and ordered Trigen to file said report and recommendation.

On July 31, 2008, Trigen filed its final report. The Commission will direct its Staff to review the report and file a recommendation as to if Trigen is in fully compliance with the Commission's May 25, 2006 Report and Order.

IT IS ORDERED THAT:

1. No later than August 14, 2008, the Staff of the Missouri Public Service Commission shall file with the Commission 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 August 4, 2008 immediately upon issuance.

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

Dated at Jefferson City, Missouri,
on this 4th day of August, 2008.