

**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 STAFF'S REQUEST TO KEEP CASE OPEN AND**  
**DIRECTING STATUS REPORTS FROM TRIGEN-KANSAS CITY**  
**ENERGY CORPORATION**

Issue Date: August 25, 2008

Effective Date: August 25, 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 what it captioned as its "Final Report and Recommendation." The Commission directed its Staff to review the report and file a recommendation as to whether Trigen was in full compliance with the Commission's May 25, 2006 Report and Order. On August 14, 2008, Staff filed its report and recommendation. Certain construction payments still need to be finalized, and Staff recommends the Commission keep this case open until such time as all construction

payments are made to the contractor for the construction of the Truman pipeline project, all invoices are sent to TMC for reimbursement, and Trigen has been reimbursed in total by TMC. No responses were filed to Staff's recommendation.

The Commission finds Staff's recommendation to be reasonable and shall grant it. Trigen will be directed to file bi-monthly status reports until such time as all construction payments are complete, all invoices are sent to Truman, and Trigen has received full reimbursement. Once these transactions are finalized, Trigen shall submit a final report to the Commission.

**IT IS ORDERED THAT:**

1. Beginning on September 15, 2008, Trigen-Kansas City Energy Corporation shall file with the Commission the reports as directed in the body of this order.
2. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**



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 25th day of August, 2008.