

SUSAN C. KLIETHERMES
(573) 761-5001
EMAIL: SKLIETHERMES@LATHROPGAGE.COM
WWW.LATHROPGAGE.COM



314 EAST HIGH STREET
JEFFERSON CITY, MISSOURI 65101
(573) 893-4336, FAX (573) 893-5398

May 2, 2005

FILED⁴

MAY 02 2005

**Missouri Public
Service Commission**

HAND DELIVERY

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

Re: County of Jackson, Missouri v Trigen-Kansas City Energy Corp.
and Thermal North America, Inc., Case No. HC-2005-0331

Dear Mr. Roberts:

Enclosed for filing in the above case is an original and eight copies of each of the following:

Answer to Complaint; and
Motion to Accept Answer One Day Out of Time.

If you have any questions concerning this filing, please contact Paul DeFord in our Kansas City office.

Thank you for your attention to this matter.

Sincerely,

LATHROP & GAGE L.C.

By: *Susan Kliethermes*
Susan C. Kliethermes
Paralegal

enclosures

cc: All counsel of record

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

COUNTY OF JACKSON, MISSOURI)

COMPLAINANT,)

vs.)

TRIGEN-KANSAS CITY ENERGY CORP.)

and)

THERMAL NORTH AMERICA, INC.)

RESPONDENTS.)

Case No. HC-2005-0331

FILED⁴

MAY 02 2005

Missouri Public
Service Commission

MOTION TO ACCEPT ANSWER ONE DAY OUT OF TIME

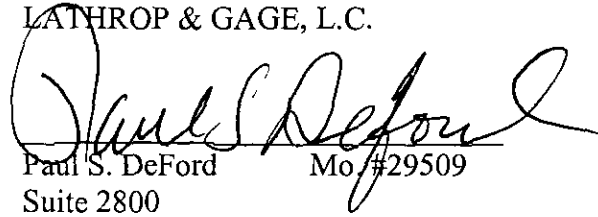
COMES NOW Trigen-Kansas City Energy Corp. ("Trigen") and for it's Motion to Accept Answer One Day Out of Time state:

1. Due to travel, communication and production difficulties Trigen was unable to finalize it's Answer in time for filing on the original due date, April 29, 2005.
2. The delay in filing was not anticipated and was not intended to prejudice any party to this proceeding.

WHEREFORE, the Trigen respectfully requests that the Commission accept it's Answer one day out of time.

Respectfully submitted,

LATHROP & GAGE, L.C.



Paul S. DeFord Mo. #29509
Suite 2800
2345 Grand Boulevard
Kansas City, MO 64108-2612
Telephone: (816) 292-2000
Facsimile: (816) 292-2001

*Attorneys for Trigen-Kansas City Energy Corp.
and Thermal North America, Inc.*

Dated: May 2, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was served, by First Class United States Mail, Postage Prepaid, on the following counsel of record this 2nd day of May, 2005

Jeremiah D. Finnegan
Finnegan, Conrad & Peterson, LC
3100 Broadway, Suite 1209
Kansas City, MO 64111

John B. Coffman
Office of the Public Counsel
PO Box 2230
Jefferson City, MO 65102

Mark Comley
Newman Comley & Ruth
601 Monroe Street, Suite 301
Jefferson City, MO 65102

Dana K. Joyce
General Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102

A handwritten signature in black ink, reading "Paul S. DeFord". The signature is written in a cursive style with a large initial "P".

Paul S. DeFord
Attorneys For Respondent
Trigen-Kansas City Energy Corp.