

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Trigen-Kansas City Energy)	<u>Case No. HR-2008-0300</u>
Corporation's Tariffs to Increase Rates for)	Tariff Nos. YH-2008-0553
Customers of its Steam Service)	and YH-2008-0554

ORDER DIRECTING NOTICE, SUSPENDING TARIFF,
SETTING HEARINGS, AND DIRECTING FILINGS

Issue Date: March 12, 2008

Effective Date: March 12, 2008

Procedural History

On March 11, 2008, Trigen-Kansas City Energy Corporation submitted tariffs designed to implement a general rate increase for steam service. Trigen indicates the new steam service rates are designed to increase its gross annual steam tariff revenues by approximately \$1,228,000. The submitted tariffs carry an April 11 effective date.

The Commission's Authority to Suspend Proposed Tariffs:

Section 393.150, RSMo 2000, authorizes the Commission to suspend the effective date of a proposed tariff for 120 days plus an additional six months to allow for a hearing on the matter. So that it will have sufficient time to study the effect of the tariffs and to determine if they are just, reasonable, and in the public interest, the Commission will suspend the tariffs for a period of 120 days beyond the requested effective date. Furthermore, because a hearing on the tariffs cannot be concluded within 120 days, the tariffs will be suspended for an additional six months.

Test Year, True-up and Local Public Hearing Recommendations:

The direct testimony of Trigen's witness, Brian P. Kirk, which Trigen filed along with its tariff, indicates Trigen used a historical test year ending December 31, 2006, updated for significant known and measurable changes through October 31, 2007, for purposes of its rate case filing. To quickly resolve test year and true-up questions, the Commission will require the other parties to promptly state their positions regarding Trigen's test year proposal, as well as the need for a true-up.

In addition to test year and true-up recommendations, the Commission will direct the parties to file recommendations regarding whether local public hearings should be scheduled. Any party recommending local public hearings shall also offer recommendations regarding the number, date, time, and location of those hearings.

Hearing Dates, Customer Notice, and Prehearing Conference:

The Commission will schedule an evidentiary hearing in this order and will reserve dates for a true-up hearing. By establishing the hearing dates now, the Commission will ensure that this matter is heard as expeditiously as possible. Additionally, the early establishment of the hearing dates will allow ample time for notice to be sent to customers. The Commission will also set an early prehearing conference and require the parties to file a proposed procedural schedule. Staff will have primary responsibility for preparing the proposed procedural schedule, but should coordinate the proposed schedule with the other parties as much as possible.

Notice and Intervention:

The Commission's Data Center shall serve a copy of this order upon the county commission of Jackson County, Missouri, and upon the city council of the City of Kansas

City. In addition, the Commission's Public Information Office shall make notice of this order available to the media serving Kansas City and Jackson County and to the members of the General Assembly representing Kansas City and Jackson County. The Commission will allow proper persons 20 days from the issuance of this order to file an application to intervene.

IT IS ORDERED THAT:

1. The proposed tariffs submitted under Tariff File No. YH-2008-0553 and YH-2008-0554, on March 11, 2008, by Trigen-Kansas City Energy Corporation, for the purpose of increasing rates for steam service, are suspended for 120 days, from April 11, 2008, to August 9, 2008.

2. The proposed tariffs suspended for 120 days in ordered paragraph 1, are suspended an additional six months beyond August 9, 2008, to February 9, 2009, unless otherwise ordered by the Missouri Public Service Commission.

3. Any proper person or entity wishing to intervene shall file an application to intervene no later than April 1, 2008, with:

Colleen M. Dale, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102-0360

and send copies to:

Jeffrey A. Keevil
Stewart & Keevil, L.L.C.
4603 John Garry Drive, Suite 11
Columbia, Missouri 65203

Attorney for Trigen-Kansas City Energy Corporation

and to:

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102-2230

4. The Staff of the Missouri Public Service Commission, the Office of the Public Counsel, and any persons or entities requesting intervention shall file, on or before April 11, 2008, a pleading either indicating concurrence in Trigen's recommended test year or recommending alternatives to that test year.

5. The Staff of the Missouri Public Service Commission, the Office of the Public Counsel, and any intervenors shall file, on or before April 11, 2008, a pleading offering a recommendation concerning a true-up.

6. An early prehearing conference shall be held on April 17, 2008, at 10:00 a.m. The early prehearing conference will be held in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri.

7. The parties shall file a proposed procedural schedule on or before April 24, 2008. The Staff of the Missouri Public Service Commission shall have the primary responsibility for preparing and filing the proposed procedural schedule.

8. The parties shall file recommendations as to the times, dates and locations for local public hearings regarding the proposed rate increase on or before April 24, 2008.

9. An evidentiary hearing is scheduled for October 20 through 24, and October 27 through 31, 2008, beginning each day at 8:30 a.m. November 20 and 21, 2008, are reserved for a true-up hearing, if such a hearing is ordered. The evidentiary hearing will be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri.

10. Because the deadline for completion of the hearing process is fixed by law, the Commission is unwilling to continue the scheduled hearing at the last minute to allow the parties more time to negotiate a settlement. Therefore, the parties are put on notice that the Commission will not grant a motion for continuance of the hearing filed less than a month before the beginning of the hearing unless a unanimous stipulation and agreement is filed along with the motion for continuance.

11. Trigen-Kansas City Energy Corporation shall notify each affected customer of the scheduled hearings. The form and time of the notice shall be agreed upon by the parties and shall be filed for the Commission's approval no later than April 24, 2008.

12. The Commission's Data Center shall serve a copy of this order upon the county commission of Jackson County, Missouri, and upon the city council of the City of Kansas City.

13. The Commission's Public Information Office shall make notice of this order available to the members of the General Assembly representing the residents of Kansas City and Jackson County, Missouri and to the news media serving Kansas City and Jackson County, Missouri.

14. All hearings in this case will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. If any person needs additional accommodations to participate in any hearing, please call the Missouri Public Service Commission's Hotline at 800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

15. This order shall become effective on March 12, 2008.

BY THE COMMISSION

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

Colleen M. Dale
Secretary

(S E A L)

Morris L. Woodruff, Deputy Chief Regulatory
Law Judge, by delegation of authority
under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 12th day of March, 2008.