

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 TRIGEN-KANSAS CITY ENERGY CORPORATION
TO FILE A REPORT AND RECOMMENDATION

Issue Date: June 12, 2007

Effective Date: June 12, 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 recommends that Case No. HA-2006-0294 remain open until such time as the proposed construction is complete and service is established with TMC. Staff states that this is expected to occur in September 2007. In the interest of ensuring full compliance with the Commission's May 22, 2006 Report and Order, Staff recommends 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 finds Staff's recommendation to be reasonable and shall order Trigen to file said report and recommendation.

IT IS ORDERED THAT:

1. No later than October 1, 2007, Trigen-Kansas City Energy Corporation shall file a report and recommendation, or a status report stating when it will file its report and recommendation, as delineated in the body of this order.
2. 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.
3. This order shall become effective on June 12, 2007.

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

Dated at Jefferson City, Missouri,
on this 12th day of June, 2007.