

FILED<sup>4</sup>

AUG 04 2005

Missouri Public  
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

COUNTY OF JACKSON, MISSOURI	)	
Complainant,	)	
	)	Case No. HC-2005-0331
v.	)	
	)	
TRIGEN-KANSAS CITY ENERGY CORP.,	)	
	)	
and	)	
	)	
THERMAL NORTH AMERICA, INC.,	)	
Respondents.	)	

DISMISSAL OF COMPLAINT WITHOUT PREJUDICE

COMES NOW Jackson County, Missouri, by and through Edward B. Rucker, County Counselor, and dismisses its complaint without prejudice.

Complainant reserves the right to file a future complaint or raise such issues in any appropriate future rate matter before the commission, in the event that Respondent TRIGEN-KANSAS CITY ENERGY CORP, its successors or agents should:

1. Fail to reconnect the Downtown steam loop within a reasonable period of time;
2. Fail to reconnect the chilled water loop within a reasonable period of time;
3. Attempt to pass through the costs of termination or reconnecting of the Downtown steam loop or the chilled water loop to the rate base or the ratepayers;

Complainant also reserves all other rights not previously asserted in this complaint.

WHEREFORE, Complainant Jackson County, Missouri prays this Commission to  
dismiss its complaint without prejudice.


Respectfully submitted,

  
/s/ Edward B. Rucker

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Certificate of Service

I hereby certify that a true and correct copy of the foregoing Dismissal was sent by U.S.  
Mail, first class, postage prepaid, or transmitted by facsimile or electronic mail, to all counsel of  
record on this 3rd day of August, 2005.

  
/s/ Edward B. Rucker  
Edward B. Rucker