

**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. _____

APPLICATION

COMES NOW Trigen-Kansas City Energy Corporation, by and through its counsel, and for its Application pursuant to Sections 393.170 and 393.290 RSMo (2000), 4 CSR 240-2.060 and 4 CSR 240-3.400 for a certificate of public convenience and necessity respectfully states as follows:

1. Applicant, Trigen-Kansas City Energy Corporation (“Trigen” or “Applicant”), is a corporation organized and existing under the laws of the State of Delaware with its principal office located at 115 Grand Boulevard, Kansas City, Missouri 64106.

2. Trigen was authorized to provide steam heating service pursuant to authority granted by the Commission in Case No. HA-90-5, issued on December 29, 1989. Trigen has been duly authorized by the Secretary of State of Missouri to transact business as a foreign entity; a copy of Trigen’s Certificate of Good Standing from the Missouri Secretary of State was submitted in Case No. HM-2004-0618 and is incorporated herein by this reference. Trigen has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court within the past

three (3) years that involve customer service or rates. Trigen has no annual report or assessment fees that are overdue.

3. Trigen is a “heating company” as defined in Section 386.020 RSMo and a “steam heating utility” as defined in 4 CSR 240-3.010 that provides steam heating service in the Missouri county of Jackson, and as such is subject to the jurisdiction of the Missouri Public Service Commission (“Commission”) as provided by law.

4. All correspondence, pleadings, communications, notices, orders and decisions of the Commission with respect to this matter should be sent to the undersigned counsel and to the following:

Brian Kirk
Vice President and General Manager
Trigen-Kansas City Energy Corporation
115 Grand Blvd.
Kansas City, Missouri 64106
Tel: (816) 889-4915
Fax: (816) 842-4272
Email: bkirk@trigen.com

With a copy to:

Lawrence W. Plitch
Vice President and General Counsel
Trigen-Kansas City Energy Corporation
99 Summer Street, Suite 900
Boston, MA 02110
Tel: (617) 482-8080
Fax: (617) 482-3235
Email: lplitch@trigen.com

5. Attached hereto and marked as **Appendix A** is a map of the location of the current and proposed new service area located in Kansas City, Missouri. Trigen already has a certificate from the Commission to serve portions of downtown Kansas City connected to the proposed area, as shown on the attached map.

6. Attached hereto and marked as **Appendix B** is a Territorial Description of the proposed new boundaries of the proposed new certificated service area that is located in Kansas City, Missouri, in Jackson County.

7. **Appendix C** to be attached hereto is a feasibility study and description of the plans and specifications for the project, including the estimated cost of construction, financing plans, and estimated revenues and expenses during the first three years. This Appendix is deemed **Highly Confidential** in its entirety and will be late-filed when the Commission issues its standard protective order in this case. Construction methods will follow Trigen's customary standards and the rules of the Commission.

8. Attached hereto and marked as **Appendix D** is a list of ten persons residing in or who are landowners within the proposed new service area.

9. A prospective customer within the proposed new service area (Truman Medical Centers, or "TMC") has requested that Trigen provide its property with steam heating service, as further discussed in **Highly Confidential Appendix C**. This prospective customer is located in an area where Trigen does not presently hold a certificate from the Commission. However, Trigen does currently hold a franchise from the City of Kansas City, a copy of which was submitted in Case No. HA-96-370 and is incorporated herein by this reference, which includes the proposed new service area. Trigen will not require any additional franchises or permits from municipalities, counties, or other authorities in connection with the proposed construction other than the usual and customary railroad and state, city and/or county highway and road crossing and construction permits which will be obtained prior to construction.

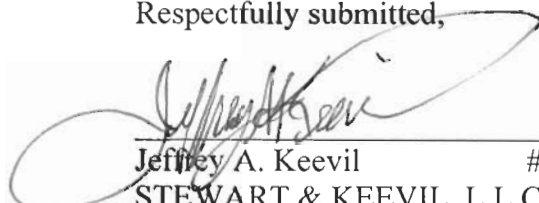
10. Applicant's existing rates and regulations for steam heating service, as contained in its tariff and as may change from time to time pursuant to law, will apply to service in the proposed area.

11. The new area for which Trigen seeks a certificate from the Commission contains other potential steam heating customers which are expected to express an interest in acquiring Trigen's service, in addition to the prospective customer mentioned above, as further discussed in **Highly Confidential Appendix C**. Service from a steam heating utility is not available in this area at the present time. Since Trigen has a city franchise and the ability to provide service economically in this area by extension of its existing facilities, Trigen believes that potential new customers should be afforded the opportunity to take service from Trigen if they so desire. Furthermore, as shown in **Appendix E** attached hereto and incorporated herein by reference, Trigen's Application is supported by the Office of the Mayor of Kansas City; the Jackson County Executive; the 6th District Kansas City Councilman; Truman Medical Centers; and University Physician Associates (the multi-specialty medical group faculty for the University of Missouri Kansas City School of Medicine). These facts, including a request from a major steam user to Trigen to provide service in the area, support a finding that the granting of this Application is required by the public convenience and necessity.

WHEREFORE, Applicant requests an order from the Commission granting it a certificate of public convenience and necessity to construct, install, own, operate, control, manage and maintain a system for the provision of steam heating service to the public

pursuant to its approved rates, rules and regulations, in Kansas City, Jackson County, Missouri, in the area more particularly described in **Appendix B** attached hereto.

Respectfully submitted,



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Attorney for Trigen-Kansas City
Energy Corporation

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing was sent to the following counsel by depositing same in the U.S. Mail first class postage paid, by hand-delivery, or by electronic transmission, this 10th day of January, 2006:

Office of the General Counsel
Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102-0360

Office of the Public Counsel
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Suite 650
P.O. Box 2230
Jefferson City, MO 65102

