

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Trigen-Kansas City Energy Corporation's Application for a Finding of No Jurisdiction or, in the Alternative, for Grant of Authority for the Transfer or Sale of a Contract Currently Owned by Trigen-Kansas City Energy Corp. to Affiliate or Third Party.)))))))	<u>Case No. HO-2007-0419</u>
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ORDER DIRECTING FILING OF STAFF RECOMMENDATION
OR REPORT

Issue Date: May 4, 2007

Effective Date: May 4, 2007

On April 27, 2007, Trigen-Kansas City Energy Corporation filed an application requesting that the Commission find that it has no jurisdiction over the proposed sale or transfer of Trigen's interest in a coal purchase contract and related agreements.¹ In the alternative, if the Commission does not disclaim jurisdiction Trigen seeks preapproval of the transaction.

The Commission would be aided in its evaluation of this application by a recommendation from its Staff as to whether the Commission has jurisdiction over Trigen's proposed transaction, and if Staff believes the Commission has jurisdiction, a recommendation regarding approval of the application. Accordingly, the Commission will set a date for Staff to file either its recommendation or a status report indicating when it believes it will be able to file a recommendation.

¹ The related agreements are: Royalty Agreement, Transfer Agreement, Security Agreement, and Coal Purchase Agreement.

IT IS ORDERED THAT:

1. No later than May 24, 2007, the Staff of the Commission shall file either its recommendation, as described above, or a status report indicating the earliest date it believes it can file a recommendation.
2. This order shall become effective on May 4, 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)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 4th day of May, 2007.