

PEABODY ENERGY CORP

Form 8-K

October 13, 2006



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**Item 1.01 Entry into a Material Definitive Agreement.**

On October 12, 2006, Peabody Energy Corporation (the Company) consummated the sale of \$650,000,000 aggregate principal amount of 7.375% Senior Notes due 2016 and \$250,000,000 aggregate principal amount of 7.875% Senior Notes due 2026 (together, the Notes). In connection with the issuance of the Notes, the Company is filing the Tenth and Eleventh Supplemental Indentures, dated as of October 12, 2006, between the Company, the guarantors named therein and U.S. Bank National Association, as trustee, as Exhibits 4.1 and 4.2, respectively, to this Form 8-K.

**Item 9.01 Financial Statements and Exhibits.**

(d) Exhibits

- 4.1 Tenth Supplemental Indenture dated as of October 12, 2006 between the Company, the guarantors named therein and U.S. Bank National Association, as trustee, relating to the 7.375% Senior Notes due 2016 (including form of 7.375% Senior Note due 2016).
  - 4.2 Eleventh Supplemental Indenture dated as of October 12, 2006 between the Company, the guarantors named therein and U.S. Bank National Association, as trustee, relating to the 7.875% Senior Notes due 2026 (including form of 7.875% Senior Note due 2026).
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**SIGNATURE**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**PEABODY ENERGY CORPORATION**

Date: October 13, 2006

/s/ JEFFERY L. KLINGER  
Jeffery L. Klinger  
Vice President, General Counsel and  
Secretary

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<b>Exhibit</b>	<b>Description</b>
4.1	Tenth Supplemental Indenture dated as of October 12, 2006 between the Company, the guarantors named therein and U.S. Bank National Association, as trustee, relating to the 7.375% Senior Notes due 2016 (including form of 7.375% Senior Note due 2016).
4.2	Eleventh Supplemental Indenture dated as of October 12, 2006 between the Company, the guarantors named therein and U.S. Bank National Association, as trustee, relating to the 7.875% Senior Notes due 2026 (including form of 7.875% Senior Note due 2026).