

PEABODY ENERGY CORP  
Form 8-K  
August 06, 2004

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549**

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**FORM 8-K**

**CURRENT REPORT  
Pursuant to Section 13 or 15(d) of the  
Securities Exchange Act of 1934**

Date of Report (Date of Earliest Event Reported): August 6, 2004

**PEABODY ENERGY CORPORATION**  
(Exact Name of Registrant as Specified in its Charter)

**Delaware**  
(State or Other Jurisdiction of  
Incorporation)

**1-16463**  
(Commission  
File Number)

**13-4004153**  
(IRS Employer  
Identification Number)

**701 Market Street, St. Louis, Missouri 63101**  
(Address of Principal Executive Office)

Registrant's telephone number, including area code: (314) 342-3400

**Item 9. Regulation FD Disclosures**

On August 6, 2004, Peabody Energy Corporation ( Peabody ) issued a press release announcing the adoption by Irl F. Engelhardt, its Chairman and Chief Executive Officer, of a plan to sell a portion of the Peabody common stock and stock options beneficially owned by him pursuant Rule 10b5-1 of the Securities Exchange Act of 1934 (the Exchange Act ). A copy of the press release is furnished with this report as Exhibit 99.1 and incorporated by reference herein.

The information in Item 9 of this Current Report on Form 8-K and Exhibit 99.1 attached hereto shall not be deemed to be filed for the purposes of Section 18 of the Exchange Act, or otherwise subject to the liabilities of such section, nor shall such information or exhibit be deemed incorporated by reference in any filing under the Securities Act of 1933 or the Exchange Act, except as shall be expressly set forth by specific reference in such a filing.

**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: August 6, 2004

By: /s/ Jeffrey L. Klinger

Jeffery L. Klinger  
Vice President - Legal Services

**Exhibit Index**

| Exhibit No. | Exhibit   |
|-------------|---|
| 99.1        | Press release of Peabody Energy Corporation announcing the adoption by its Chairman and Chief Executive Officer of a plan pursuant to Rule 10b5-1 of the Securities Exchange Act of 1934. |