Edgar Filing: WHITING RICHARD M - Form 4

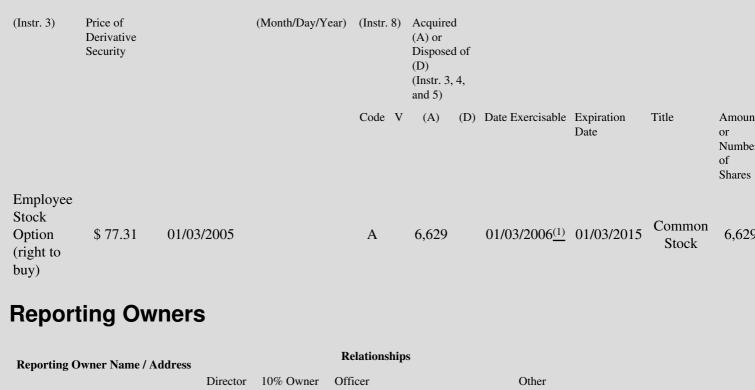
| WHITING Form 4 January 05, | RICHARD M 2005 | | | | | | | | |
|--|---|--|---|--|---|--|--|---|--|
| FORM | ЛЛ | | | | | | OMB A | PPROVAL | |
| | N OMB Number: | 3235-0287 | | | | | | | |
| Check th if no lon subject to Section Form 4 Form 5 obligation may con <i>See</i> Insta 1(b). | section 17(| rsuant to Sect (a) of the Pub | SEC | CURITIES of the Secur Holding Co | ities Excha mpany Act | WNERSHIP OF inge Act of 1934, t of 1935 or Secti 1940 | Estimated a burden hou response | irs per | |
| (Print or Type | Responses) | | | | | | | | |
| 1. Name and Address of Reporting Person <u>*</u> WHITING RICHARD M | | | 2. Issuer Name and Ticker or Trading Symbol PEABODY ENERGY CORP [BTU | | | 5. Relationship of Reporting Person(s) to IssuerU] (Check all applicable) | | | |
| (Last) (First) (Middle) 701 MARKET STREET | | | 3. Date of Earliest Transaction (Month/Day/Year) 01/03/2005 | | | Director 10% Owner X Officer (give title Other (specify below) below) EVP - Sales and Marketing | | | |
| | (Street) | | 4. If Amendment, Date Original Filed(Month/Day/Year) | | | 6. Individual or Joint/Group Filing(Check Applicable Line) _X_ Form filed by One Reporting Person | | | |
| ST. LOUIS | , MO 63101-1820 | 5 | | | | | More than One R | | |
| (City) | (State) | (Zip) Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned | | | | | | | |
| 1.Title of Security (Instr. 3) | 2. Transaction Date (Month/Day/Year) | 2A. Deemed Execution Dat any (Month/Day/Y | Code Year) (Instr. | 4. Securi actionAcquired Disposed 8) (Instr. 3, V Amount | (A) or d of (D) 4 and 5) (A) or | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Indirect Beneficial Ownership (Instr. 4) | |
| Reminder: Re | port on a separate line | e for each class | of securities b | - | - | or indirectly. spond to the colle | ection of S | EC 1474 | |

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

 Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned
 (e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of | 2. | 3. Transaction Date | 3A. Deemed | 4. | 5. Number | 6. Date Exercisable and | 7. Title and Amount of |
|-------------|-------------|---------------------|--------------------|------------|-----------------|-------------------------|------------------------|
| Derivative | Conversion | (Month/Day/Year) | Execution Date, if | Transactio | onof Derivative | Expiration Date | Underlying Securities |
| Security | or Exercise | | any | Code | Securities | (Month/Day/Year) | (Instr. 3 and 4) |

Edgar Filing: WHITING RICHARD M - Form 4



EVP - Sales and Marketing

01/05/2005

Date

| WHITING RICHARD M |
|--------------------------|
| 701 MARKET STREET |
| ST. LOUIS, MO 63101-1826 |

Signatures

Richard M. Whiting by Joseph W. Bean, Attorney-in-Fact

**Signature of Reporting Person

Explanation of Responses:

* If the form is filed by more than one reporting person, see Instruction 4(b)(v).

** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

(1) The options vest in three equal annual installments beginning on January 3, 2006.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.