

WHITING RICHARD M  
Form 4  
November 01, 2007

**FORM 4**

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

OMB APPROVAL

OMB Number: 3235-0287  
Expires: January 31, 2005  
Estimated average burden hours per response... 0.5

Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
WHITING RICHARD M

2. Issuer Name and Ticker or Trading Symbol  
PEABODY ENERGY CORP [BTU]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)  
701 MARKET STREET

3. Date of Earliest Transaction (Month/Day/Year)  
10/30/2007

\_\_\_\_ Director \_\_\_\_\_ 10% Owner  
 Officer (give title below) \_\_\_\_\_ Other (specify below)

EVP - Chief Marketing Officer

(Street)  
ST. LOUIS, MO 63101-1826

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)  
 Form filed by One Reporting Person  
\_\_\_\_ Form filed by More than One Reporting Person

(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 Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	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 Ownership (Instr. 4)
			Code	V Amount (D) Price			
Common Stock	10/30/2007		A	9,449 A <u>1</u>	48,032	D	
Common Stock					101,892	I	By Trust

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

**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.**

SEC 1474 (9-02)

Edgar Filing: WHITING RICHARD M - Form 4

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

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)
				Code	V (A) (D)	Date Exercisable Expiration Date	Title Amount or Number of Shares
Employee Stock Option (right to buy)	\$ 43.1	10/31/2007		J <sup>(2)</sup>	39,342	01/03/2009 01/03/2016	Common Stock 39,342
Employee Stock Option (right to buy)	\$ 43.1	10/31/2007		J <sup>(2)</sup>	38,150	<sup>(4)</sup> 01/03/2016	Common Stock 38,150
Employee Stock Option (right to buy)	\$ 37.84	10/31/2007		J <sup>(2)</sup>	45,206	<sup>(5)</sup> 01/03/2017	Common Stock 45,206

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
WHITING RICHARD M 701 MARKET STREET ST. LOUIS, MO 63101-1826			EVP - Chief Marketing Officer	

## Signatures

Richard M. Whiting By: Kenneth L. Wagner  
Attorney-in-Fact 11/01/2007

\_\_Signature of Reporting Person Date

## 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) Not applicable.

## Edgar Filing: WHITING RICHARD M - Form 4

- (2) Forfeiture of employee stock options upon termination of employment.
- (3) Does not include an additional 444,047 options with different expiration dates and exercise prices.
- (4) Of the 38,150 options, 12,717 vested on January 3, 2007, 12,716 were scheduled to vest on January 3, 2008 and 12,717 were scheduled to vest on January 3, 2009.
- (5) Of the 45,206 options, 15,069 were scheduled to vest on January 3, 2008, 15,068 were scheduled to vest on January 3, 2009 and 15,069 were scheduled to vest on January 3, 2010.

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.