

171 FERC ¶ 61,194
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Neil Chatterjee, Chairman;
Richard Glick, Bernard L. McNamee,
and James P. Danly.

Gregory R. Swecker and Beverly F. Swecker

Docket No. EL20-44-000

v.

Midland Power Cooperative and Iowa Utility Board

NOTICE OF INTENT NOT TO ACT

(Issued June 2, 2020)

1. On April 22, 2020, Gregory and Beverly Swecker (collectively, Sweckers) filed a petition for enforcement pursuant to section 210(h)(2) of the Public Utility Regulatory Policies Act of 1978 (PURPA), 16 U.S.C. § 824a-3(h)(2) (2018), against the Midland Power Cooperative (Midland) and Iowa Utility Board. The Sweckers essentially claim that, since 2004, they have not been paid an appropriate avoided cost rate.
2. Notice is hereby given that the Commission declines to initiate an enforcement action under section 210(h)(2) of PURPA. Our decision not to initiate an enforcement action means that the Sweckers may themselves bring an enforcement action against Midland and Iowa Utility Board in the appropriate court.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.