

149 FERC ¶ 61,234
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Alaska Power & Telephone Company
City of Saxman, Alaska

Docket Nos. EL15-12-000
QF98-54-001

NOTICE OF INTENT NOT TO ACT

(December 18, 2014)

1. On October 30, 2014, Alaska Power & Telephone Company (Alaska Power), in its capacity as agent for the City of Saxman, and owner of the Mahoney Lake Hydroelectric Project, filed a petition for enforcement against the Southeast Alaska Power Agency (SEAPA), pursuant to section 210(h) of the Public Utility Regulatory Policies Act of 1978 (PURPA).¹ Alaska Power contends that SEAPA has not made available avoided cost data as required by section 292.302(b) of the Commission's regulations implementing PURPA,² and requests that the Commission issue an order instructing SEAPA to produce the avoided cost data pursuant to section 292.302(c)(2) of the Commission's regulations.³ In the alternative, Alaska Power requests that the Commission initiate an enforcement action against SEAPA pursuant to section 210(h)(2)(A) of PURPA for failure to implement regulations for making available cost data available.

2. Notice is hereby given that the Commission declines to initiate an enforcement action pursuant to section 210(h)(2)(A) of PURPA. Our decision not to initiate an enforcement action means that the Petitioner may itself bring an enforcement action against SEAPA in the appropriate court.⁴

By direction of the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.

¹ 16 U.S.C. § 824a-3(h)(2)(A) (2012).

² 18 C.F.R. § 292.302(b) (2014).

³ 18 C.F.R. § 292.302(c)(2) (2014).

⁴ 16 U.S.C. § 824a-3(h)(2)(B) (2012).