

176 FERC ¶ 61,116
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Richard Glick, Chairman;
Neil Chatterjee, James P. Danly,
Allison Clements, and Mark C. Christie.

Beaver Creek Wind I, LLC,
Beaver Creek Wind IV, LLC,
Broadview Solar LLC,
Meadowlark Solar LLC,
Greenfields Irrigation District

Docket Nos. EL21-86-000
QF20-1303-001
QF20-1304-001

v.

Montana Public Service Commission

NOTICE OF INTENT NOT TO ACT

(Issued August 23, 2021)

1. On June 24, 2021, Beaver Creek Wind I, LLC, Beaver Creek Wind IV, LLC, Broadview Solar LLC, Meadowlark Solar LLC, and Greenfields Irrigation District (collectively, Petitioners) filed a petition for enforcement against the Montana Public Service Commission (Montana Commission) pursuant to section 210(h)(2)(B) of the Public Utility Regulatory Policies Act of 1978 (PURPA).¹ Petitioners claim that the Montana Commission's orders directly assigning the costs of network upgrades to qualifying facilities, without the possibility of refunds, violate PURPA.

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 Petitioners may themselves bring an enforcement action against the Montana Commission in the appropriate court.²

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.

¹ 16 U.S.C. § 824a-3(h)(2)(B).

² *Id.*

Document Content(s)

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