

137 FERC ¶ 61,035
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellinghoff, Chairman;
Philip D. Moeller, John R. Norris,
and Cheryl A. LaFleur.

Gregory R. Swecker and Beverly F. Swecker v. Midland Power Cooperative and State of Iowa Docket No. EL11-39-001

ORDER DENYING RECONSIDERATION

(Issued October 11, 2011)

1. On May 6, 2011, Gregory R. Swecker and Beverly F. Swecker (Petitioners) filed a petition for enforcement pursuant to section 210(h)(2)(A) of the Public Utility Regulatory Policies Act of 1978 (PURPA), 16 U.S.C. § 824a-3 (2006) against Midland Power Cooperative (Midland) and the State of Iowa.
2. On August 5, 2011, the Commission issued an order giving notice that the Commission declines to initiate an enforcement action under section 210(h)(2)(A) of PURPA.¹ The notice was intended to allow the Petitioners to initiate an enforcement action against Midland and the State of Iowa in the appropriate court.
3. On September 9, 2011, the Petitioners filed a request for reconsideration of the Commission's August 5 Order. Petitioners' request has not persuaded us to reconsider our decision.

By the Commission. Commissioner Spitzer is not participating.

(S E A L)

Kimberly D. Bose,
Secretary.

¹ *Gregory R. Swecker and Beverly F. Swecker v. Midland Power Coop. and State of Iowa*, 136 FERC ¶ 61,085 (2011) (August 5 Order).