

145 FERC ¶ 61,140
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

Clearwater Paper Corporation

Docket Nos. EL13-91-000
QF83-142-002
QF83-143-002
QF83-144-002
QF92-64-002

NOTICE OF INTENT NOT TO ACT

(Issued November 19, 2013)

1. On September 20, 2013, Clearwater Paper Corporation (Clearwater) filed a petition requesting that the Commission initiate an enforcement action pursuant to section 210(h)(2)(A) of the Public Utility Regulatory Policies Act of 1978 (PURPA)¹ against the Idaho Public Utilities Commission (Idaho Commission), arguing that the Idaho Commission's Order Nos. 32697 and 32802 violate PURPA. Alternatively, in the event the Commission decides not to pursue an enforcement action against the Idaho Commission, Clearwater requests that the Commission declare that the Idaho Commission Orders are inconsistent with 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

¹ 16 U.S.C. § 824a-3(h)(2)(A) (2012).

enforcement action means that Clearwater may itself bring an enforcement action against the Idaho Commission in the appropriate court.²

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

² *Id.* § 824a-3(h)(2)(B).