

148 FERC ¶ 61,233  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Allco Renewable Energy Limited  
Ecos Energy, LLC

Docket Nos. EL14-84-000  
QF11-193-001  
QF11-194-001  
QF11-195-001  
QF11-196-001  
QF11-197-001  
QF11-198-001  
QF11-199-001  
QF11-200-001  
QF11-201-001  
QF11-202-001  
QF11-203-001

NOTICE OF INTENT NOT TO ACT

(September 26, 2014)

1. On July 28, 2014, Allco Renewable Energy Limited (Allco) filed a petition for enforcement against the Massachusetts Department of Public Utilities (Massachusetts Commission), pursuant to section 210(h)(2)(B) of the Public Utility Regulatory Policies Act of 1978 (PURPA).<sup>1</sup> Allco requests that the Commission initiate an enforcement action and invalidate the Massachusetts Commission's rules regarding the establishment of legally enforceable obligations and the Massachusetts Commission's requirement that purchases from qualifying facilities must be priced at the time of delivery, and not calculated at the time the legally enforceable obligation is incurred. Allco requests, in the alternative, that the Commission issue an order invalidating those Massachusetts Commission rules and make findings that would allow Allco to pursue a successful enforcement action in an appropriate court.

2. Notice is hereby given that the Commission declines to initiate an enforcement action pursuant to section 210(h)(2)(B) of PURPA. Our decision not to initiate an

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<sup>1</sup> 16 U.S.C. § 824a-3(h)(2)(B) (2012).

enforcement action means that the Petitioner may itself bring an enforcement action against the Massachusetts Commission in the appropriate court.<sup>2</sup>

By direction of the Commission.

Nathaniel J. Davis, Sr.,  
Deputy Secretary.

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<sup>2</sup> *Id.*