

135 FERC ¶ 61,138
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Solutions for Utilities, Inc.

Docket No. EL11-28-000

NOTICE OF INTENT NOT TO ACT

(May 19, 2011)

1. On March 18, 2011, Solutions for Utilities, Inc. (SFUI) filed a petition for enforcement pursuant to section 210(h)(2) of the Public Utility Regulatory Policies Act of 1978 (PURPA), 16 U.S.C. § 824a-3(h)(2) (2006), against Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company (collectively, California Utilities) and the California Public Utilities Commission (CPUC). SFUI alleges that the CPUC has failed to properly calculate avoided cost rates and has colluded with the California Utilities in deliberately misleading renewable energy developers about their rights under PURPA. SFUI requests that the Commission take all necessary and appropriate action, including the institution of an enforcement action against the CPUC.
2. Notice is hereby given that the Commission declines to initiate an enforcement action under section 210(h)(2)(A) of PURPA. Our decision not to initiate an enforcement action means that the SFUI may itself bring an enforcement action against the CPUC in the appropriate court.

By direction of the Commission.

Kimberly D. Bose,
Secretary.