UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

) ALLCO RENEWABLE ENERGY LIMITED,) Plaintiff, v. MASSACHUSETTS ELECTRIC COMPANY D/B/A NATIONAL GRID; ANGELA) O'CONNOR, JOLETTE WESTBROOK and) ROBERT HAYDEN, in their official) capacities as Commissioners of the) Massachusetts Department of Public) Utilities; and JUDITH JUDSON, in) her official capacity as) Commissioner of the Massachusetts) Department of Energy Resources,) Defendants.)

Civil Action No. 15-13515-PBS

ORDER

January 23, 2017

Saris, C.J.

Allco's motion for reconsideration of the Court's order on summary judgment (Docket No. 78) is <u>DENIED</u>. Section 210(g)(2) of PURPA lays out the enforcement process by "[a]ny person" against an electric utility to "enforce any requirement" established by a state regulatory authority. 16 U.S.C. § 824a-3(g)(2). There is no federal statutory provision providing a private cause of action for damages against the utility independent of the PURPA enforcement scheme. Section 210(h)(1) applies only to Commission enforcement. Id. § 824a-3(h)(1).

Parties shall file proposed form of judgment by 2/6/2017.

/s/ PATTI B. SARIS Patti B. Saris Chief United States District Judge