

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
FIRST JUDICIAL DISTRICT AT JUNEAU

Alaska Electric Light and Power  
Company,

Plaintiff,

v.

Alaska Industrial Development and  
Export Authority,

Defendant.

Case No. 1JU-25-00809 CI

**ORDER GRANTING MOTION  
FOR TEMPORARY  
RESTRAINING ORDER**

Plaintiff Alaska Electric Light and Power Company (AELP) filed a motion on September 11, 2025 requesting an order to enjoin Defendant Alaska Industrial Development and Export Authority (AIDEA) from selling renewable energy certificates generated by the Snettisham Hydroelectric Project while its claims to the certificates are adjudicated. Because, according to AELP's briefing, AIDEA plans to sell the credits as soon as September 13, 2025, the court's immediate attention was required. Therefore, AIDEA was not given a full opportunity to respond to the request for a temporary restraining order. For the reasons set forth below, AELP is granted a temporary restraining order.

**I. ISSUES**

- Whether AELP demonstrates entitlement for a temporary restraining order.

## **II. FACTS**

AELP and AIDEA have a longstanding contractual relationship whereby (at risk of oversimplifying the dynamics) AIDEA owns the Snettisham Hydroelectric Project and AELP operates Snettisham to sell the power generated therefrom to its customers. Earlier this year, AELP and AIDEA began discussing business opportunities surrounding renewable energy certificates.

Renewable energy certificates are tokens which attach to units of renewable electricity. Each certificate may be bundled with a unit of electricity or it may be unbundled to be sold on the open market. Various business reasons exist for buying and holding renewable energy certificates, including being able to assume the label of a “net-zero” business, or one which has a net-zero impact on greenhouse gas emissions. AELP is one such business.

In August, AIDEA indicated its unequivocal intent to partner with Greenlight Energy Group LLC for the sale of renewable energy certificates generated by Snettisham. AELP strongly opposes this move, and argues that it has contractual rights associated with the certificates attached to energy generated through Snettisham’s operation. AELP therefore filed a lawsuit to enjoin AIDEA from its unilateral sale of the certificates.

## **III. LAW**

Temporary restraining orders are governed by Alaska Rule of Civil Procedure 65(b). They may be granted without notice to the adverse party only if (1) specific facts shown by the movant through affidavit or verified complaint demonstrate the movant will suffer

immediate and irreparable injury before the adverse party is given the opportunity to respond and (2) the movant explains what efforts were taken to provide notice to the adverse party. A temporary restraining order is effective for ten days, unless extended for good cause by at most another ten days. The adverse party may move for the dissolution of a temporary restraining order within two days of its issuance. All forms of preliminary injunctive relief must be secured by bond set by the court.

#### **IV. ANALYSIS**

##### **A. AELP will face irreparable harm without immediate preliminary injunctive relief.**

AELP has shown that it is likely that AIDEA will promptly sell the renewable energy certificates generated by Snettisham if it is not enjoined by the court. As a result, AELP would be unable to apply those certificates to the energy it generates from operating Snettisham. Once the certificates are sold they will shortly thereafter be retired, rendering them unusable at any time in the future. Consequently, AELP would be forced to either buy certificates on the open market (the cost of which are unknown and may not match the profile of the Snettisham) or forego its “100% renewable” corporate image. The uncertainty of the availability of appropriate certificates on the open market means that the court has no way to verify that a monetary judgment would make AELP whole if it lost the Snettisham certificates. Further, damage to an entity’s business reputation is irreparable because the court has no way to monetarily quantify the damage and because legal redress has no way to amend the reputation of the entity. AELP therefore satisfies the irreparable harm prong.

The court recognizes that a bond is required to protect AIDEA's interest in this order. Given AIDEA has not yet had an opportunity to respond to the briefing, the court will deliver its decision on a bond amount after AIDEA is given a chance to weigh in.

The court is satisfied that AELP's lawsuit is not arbitrary and is supported by a colorable argument that irreparable harm will befall AELP if immediate action is not taken. Therefore, it is appropriate to grant AELP a temporary restraining order.

## **V. CONCLUSION**

For the reasons stated above, AELP's motion for a temporary restraining order is granted.

AIDEA shall respond as to the bond amount by 4:30 PM on Monday, September 15, 2025 and AELP shall file a reply to that response, if any is given, by 4:30 PM on Tuesday, September 16, 2025.

Greenlight Energy Group LLC shall also be enjoined from accepting any renewable energy certificates from AIDEA that are generated through the operation of the Snettisham Hydroelectric Project.<sup>1</sup>

This order shall expire upon ten days of issuance unless extended up to ten days for good cause shown.

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<sup>1</sup> Alaska R. Civ. P. 65(d) ("Every order . . . is binding only . . . upon those persons in active concert or participation with [those otherwise enjoined] who receive actual notice of the order by personal service or otherwise."). AELP shall serve this order on Greenlight Energy or its counsel to provide actual notice.

A scheduling hearing on the motion for preliminary injunctive relief is scheduled for **Thursday, September 18, 2025, at 2:30 PM.**

Entered at Juneau, Alaska on September 12, 2025.



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Amy Mead  
Superior Court Judge

# Alaska Trial Courts

## Certificate of Distribution

**Case Number:** 1JU-25-00809CI

**Case Title:** ALASKA ELECTRIC LIGHT AND POWER COMPANY VS. ALASKA INDUSTRIAL EXPORT AND DEVELOPMENT AUTHORITY

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