



NOTICE TO MARKET PARTICIPANTS AND STAKEHOLDERS

Date: March 10, 2011

Re: Update – Notice January 14, 2011 re: Timing of discretionary outages at units that are subject to Power Purchase Arrangements

This will confirm that the MSA has suspended its plans for stakeholder consultation into matters relating to the timing of discretionary outages at units that are subject to Power Purchase Arrangements until further notice. A backgrounder regarding that stakeholder consultation is attached to this Notice below.

The MSA has received a complaint on a substantively similar matter and has made the decision to commence an investigation under section 42(1)(b) of the *Alberta Utilities Commission Act (AUCA)*. Parties directly relevant to the investigation have been notified in accordance with the *MSA Investigation Procedures*. In the view of the MSA the investigation and the stakeholder consultation are best handled sequentially, in that order.

Following completion of the investigation the MSA will reassess the need for stakeholder consultation on this matter and will provide an update accordingly. However, please feel free to contact the writer at any time with any questions regarding the status of the stakeholder consultation.

Yours truly,

/s/ Matt Ayres

Chief Economist

Background

As part of the work on the *MSA Offer Behaviour Enforcement Guidelines* (OBEG's) the MSA had requested feedback on the application of certain examples to the timing of discretionary outages at units subject to Power Purchase Arrangements.¹

Based on this feedback, the MSA indicated in a notice dated January 14, 2011, that the matter merited further consideration and the MSA would work on a discussion paper, followed by a further opportunity for stakeholder consultation.²

Section 4.7.2 of the *Offer Behaviour Enforcement Guidelines* released on January 14, 2011 indicated that 'The MSA... at this time offers no guidance on outage timing at PPA units.' (Emphasis in original). This remains the status quo until further notice.

¹ Notice to Market Participants and Stakeholders, *Re: Market Participant Offer Behaviour Enforcement Guidelines*, November 26, 2010.

² Notice to Market Participants and Stakeholders, *Re: Final Offer Behaviour Enforcement Guidelines and stakeholder comments on the draft*, January 14, 2011.