

NOTICE OF SPECIFIED PENALTY

Date of Issue: May 12, 2010

Payment Due Date: June 11, 2010

MSA File Number:	2010-030	Specified Penalty Amount:	\$ 500
Market Participant Name:	Cargill Energy Trading Canada		
Asset ID (if applicable):	CABC	Self Report	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ISO Rule:	6.3.3	Date of Contravention:	April 16, 2010
Date of Referral/Self Report:	April 20, 2010	This is the second contravention by this asset for this rule within a rolling 12 month period. Previous MSA file number: 2009-054	

EVENT DETAILS

On April 16, 2010 an offer restatement was submitted for CABC asset at 09:46 which decreased the available capability (AC) for the asset within the T-2 window for HE 11. This restatement had the effect of decreasing the AC value from 25 MW to 0 MW for HE 11. The reason given, "unable to secure power" is not an acceptable operation reason. Section 6.3.3 of the ISO Rule 6.3.3 requires that the sum of the importer's (exporter's) e-tag quantities (MW) and importer's (exporter's) wheel-through interchange e-tag quantities (MW) for a single import source asset may only be less than the AC of such asset stated two hours before the start of the settlement interval if the importer (exporter) has an acceptable operational reason.

FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of ISO rule 6.3.3.

MATERIAL FACTS

The material facts relied upon by the MSA include the following:

1. AESO restatement data for the CABC asset for April 16, 2010.
2. Cargill Energy Trading Canada letter of self report dated April 20, 2010.

DELIVERY OF PAYMENT

Payment by cheque or certified funds is to be made out to the "General Revenue Fund c/o Minister of Finance", and delivered to the Alberta Utilities Commission (AUC) at: 4th Floor, 425 - 1st Street S.W., Calgary, Alberta, T2P 3L8. Questions in respect of delivery of payment should be addressed to the Director of Finance, AUC. The payment should reference this notice and related MSA File #. Delivery of payment should also be confirmed by email to compliance@albertamsa.ca, with copy to the following AUC personnel: Cora Anderson cora.anderson@auc.ab.ca, Sabi Ghavami (Director, Finance) sabi.ghavami@auc.ab.ca, and Darin Lowther (Director, Market Rules) darin.lowther@auc.ab.ca.

NOTICE

The Market Surveillance Administrator (MSA) is granted the power and authority under s. 52 of the *Alberta Utilities Commission Act* to issue a Notice of Specified Penalty where the MSA is satisfied that a person has contravened an ISO rule. Specified penalties are set out in AUC Rule 019.

In accordance with the relevant enactments and rules, a dispute regarding the issuance of a Notice of Specified Penalty or failure to pay the specified penalty in accordance with this notice will result in a hearing or other proceeding before the AUC.

In accordance with s. 5(1) of AUC Rule 019 this Notice of Specified Penalty will be made public no earlier 30 days and no later than 45 days after issuance. The MSA will, if applicable, also post on its website the link to any decision of the AUC respecting the specified penalty.

If your organization disputes the issuance of this Notice of Specified Penalty, or if you have any other questions or comments regarding this matter, please contact the MSA compliance team at compliance@albertamsa.ca.

SIGNATURE

Signature:		Signature Date:	September 13, 2010
Name:	Wayne Silk	Title:	Deputy Administrator