

NOTICE OF SPECIFIED PENALTY

Date of Issue: March 29, 2011

Payment Due Date: April 28, 2011

MSA File Number:	2011-049	Specified Penalty Amount:	\$ 2,500
Market Participant Name:	Air Liquide Canada Inc.		
Asset ID (if applicable):	ALS1	Self Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule:	6.6	Date of Contravention:	December 26, 2010
Date of Referral/Self Report:	March 3, 2011	This is the second contravention by this asset for this rule within a rolling 12 month period.	

EVENT DETAILS

On December 26, 2010 ALS1 received an energy dispatch down to 49 MW effective at 00:34. The ALS1 asset did not move directionally toward the new dispatch level within 10 minutes and continued to generate at the prevailing level until approximately 07:00. Section 6.6.3(a) of ISO rule 6.6 requires that in accordance with an energy market dispatch issued to a pool participant, the output of a generating asset must be changed to move directionally towards the quantity (MW) indicated in that energy market dispatch within ten (10) minutes of the time specified in the energy market dispatch.

FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of ISO rule 6.6.

MATERIAL FACTS

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

1. AESO Available Capability (AC), dispatch, and generation data for the ALS1 asset on December 26, 2010.
2. AESO Information Request to Air Liquide Canada Inc. dated February 1, 2011.
3. Air Liquide Canada Inc. February 16, 2011 response to AESO information request.
4. AESO letter to Air Liquide Canada Inc. dated March 3, 2011 notifying the referral of the matter to the MSA

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: 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 than 30 days and no later than 45 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:	"Original Signed"	Signature Date:	March 29, 2011
Name:	Doug Doll	Title:	Manager Compliance