

## NOTICE OF SPECIFIED PENALTY

Date of Issue: October 11, 2012

Payment Due Date: November 13, 2012

|                               |                                      |                                                                                               |                                                                     |
|-------------------------------|--------------------------------------|-----------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| MSA File Number:              | 2012-312                             | <b>Specified Penalty Amount:</b>                                                              | \$ 500                                                              |
| Market Participant Name:      | Rainbow Energy Marketing Corporation |                                                                                               |                                                                     |
| Asset ID (if applicable):     | RESK                                 | Self Report                                                                                   | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| ISO Rule:                     | OPP 102                              | Date of Contravention:                                                                        | February 2, 2012                                                    |
| Date of Referral/Self Report: | September 21, 2012                   | This is the first contravention by this asset for this rule within a rolling 12 month period. |                                                                     |

### EVENT DETAILS

On February 2, 2012 between 07:48 and 08:11, the RESK asset received four 1 MW dispatches. The initial dispatch was effective at 08:00 while subsequent dispatches were effective immediately. These ADaMS dispatches were neither accepted nor rejected within the required time period. OPP 102 requires that pool participants must respond to ADaMS energy market dispatches within the required time as described in OPP 003.2. OPP 003.2 stipulates this required time is 5 minutes for all market Participants with export bids or import offers for in the energy market merit order.

### FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of ISO rule OPP 102

### MATERIAL FACTS

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

1. AESO dispatch data for RESK asset for February 2, 2012.
2. AESO Information Request to Rainbow Energy Marketing Corporation dated August 9, 2012.
3. Rainbow Energy Marketing Corporation August 16, 2012 response to AESO information request.
4. Rainbow Energy Marketing Corporation August 21, 2012 response to AESO information request.
5. Rainbow Energy Marketing Corporation August 24, 2012 response to AESO information request.
6. AESO letter to Rainbow Energy Marketing Corporation dated September 21, 2012 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](mailto:compliance@albertamsa.ca), with copy to the following AUC personnel: Sabi Ghavami (Director, Finance) [sabi.ghavami@auc.ab.ca](mailto:sabi.ghavami@auc.ab.ca), and Darin Lowther (Director, Market Rules) [darin.lowther@auc.ab.ca](mailto: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](mailto:compliance@albertamsa.ca).

### SIGNATURE

|            |                   |                 |                    |
|------------|-------------------|-----------------|--------------------|
| Signature: | "Original Signed" | Signature Date: | October 11, 2012   |
| Name:      | Doug Doll         | Title:          | Manager Compliance |