

NOTICE OF SPECIFIED PENALTY

Date of Issue: November 29, 2012

Payment Due Date: December 29, 2012

MSA File Number:	2012-368	Specified Penalty Amount:	\$ 5,000
Market Participant Name:	Powerex Corp.		
Asset ID (if applicable):	FNG1	Self Report	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ISO Rule:	6.6	Date of Contravention:	September 17, 2012
Date of Referral/Self Report:	November 14, 2012	This is the fifth contravention by this asset and the fifth contravention for Powerex Corp. for this rule within a rolling 12 month period	

EVENT DETAILS

On September 17, 2012 at 22:40 MDT, the FNG1 asset accepted an energy dispatch to move from 26 MW to 59 MW effective immediately. The declared ramp rate for the FNG1 asset was 1.8 MW/min. The FNG1 asset was required to be generating within the ADV of its 59 MW dispatch by 23:35 MDT. At 23:35, the FNG1 asset was generating at 38 MW or approximately 16 MW outside the ADV and did not reach generating asset steady state until 00:50 MDT on September 18, 2012. Section 6.6.3(b) 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 reach generation asset steady state within a calculated time period which takes into account the declared ramp rate of the asset and the incremental energy market dispatch quantity.

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, generation, and dispatch data for the FNG1 asset for September 17, 2012.
2. Powerex Corp. November 14, 2012 self-report.

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 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:	"Original Signed"	Signature Date:	November 29, 2012
Name:	Doug Doll	Title:	Manager Compliance