

NOTICE OF SPECIFIED PENALTY

Date of Issue: January 17, 2013 Payment Due Date: February 18, 2013

MSA File Number:	2012-422	Specified Penalty Amount:	\$ 500
Market Participant Name:	Nexen Inc./Encana Corporation		
Asset ID (if applicable):	NX01	Self Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule:	OPP 603	Date of Contravention:	June 26, 2012
Date of Referral/Self Report:	December 6, 2012	This is the first contravention by this asset for this rule within a rolling 12 month period.	

EVENT DETAILS

On June 26, 2012 for HE 09 and HE 10, an energy restatement was submitted within the T-2 window for the NX01 asset with a stated reason relating to Trevi testing. No testing plan was received by the AESO regarding the noted testing nor did NX01 make a real time request for approval from the System Controller before proceeding with the testing. OPP 603 of the ISO rules states that the market participant will submit a testing or commissioning plan to the ISO at outage.scheduling@aeso.ca per the following schedule: a) at least 10 days in advance for generators of capacity less than 150 MW; b) at least 30 days in advance for generators of capacity equal to or greater than 150 MW.

FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of OPP 603.

MATERIAL FACTS

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

1. AESO AC and offer data for the NX01 asset for June 26, 2012.
2. AESO Information Request to Nexen Inc. dated November 6, 2012.
3. Nexen Inc. November 21, 2012 response to the AESO Information Request.
4. AESO letter to Nexen Inc. dated December 6, 2012 notifying of 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 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:	January 17, 2013
Name:	Doug Doll	Title:	Manager Compliance