

## NOTICE OF SPECIFIED PENALTY

Date of Issue: January 18, 2013

Payment Due Date: February 18, 2013

MSA File Number:	2012-448	<b>Specified Penalty Amount:</b>	\$ 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:	December 12, 2012
Date of Referral/Self Report:	December 21, 2012	This is the seventh contravention by this asset for this rule within a rolling 12 month period.	

### EVENT DETAILS

On December 12, 2012 at 21:43 MST, the FNG1 asset accepted an energy dispatch to move from 65 MW to 43 MW effective 22:00 MST. However, the output of FNG1 did not move directionally towards the MW quantity of the energy dispatch within 10 minutes of the time specified in the energy market dispatch. In addition, based on a declared ramp rate of 1.5 MW per minute, the FNG1 asset was required to reach the allowable dispatch variance level by 22:30 MST. At this point, FNG1 remained outside its allowable dispatch variance (ADV).

### 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 generation and dispatch data for the FNG1 generating asset for December 12, 2012.
2. Self-report from Powerex Corp. dated December 21, 2012.

### 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:	January 18, 2013
Name:	Doug Doll	Title:	Manager Compliance