

NOTICE OF SPECIFIED PENALTY

Date of Issue: February 28, 2013

Payment Due Date: April 1, 2013

MSA File Number:	2013-044	Specified Penalty Amount:	\$ 500
Market Participant Name:	Capital Power (Alberta) Limited Partnership		
Asset ID (if applicable):	ENC3	Self Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule:	3.5.3	Date of Contravention:	September 21, 2012
Date of Referral/Self Report:	February 12, 2013	This is the first contravention by this asset for this rule within a rolling 12 month period.	

EVENT DETAILS

On September 21, 2012 at 01:27 the ENC3 asset was dispatched offline and promptly ramped down in accordance with the dispatch. A subsequent control system error prompted an automatic lockout of the asset for a four hour period; however, the available capacity (AC) for ENC3 remained at 97 MW until 04:55 when an AC restatement was submitted. Section 3.5.3.2 (a) of the ISO Rules states that a pool participant who has submitted an offer must submit an energy restatement restating the AC of the asset for the applicable hour as soon as reasonably practicable, if there is a change to the AC.

FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of ISO Rule 3.5.3.

MATERIAL FACTS

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

1. Referral from the AESO to the MSA dated February 12, 2013.
2. AESO dispatch and offer data for the ENC3 asset for September 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, 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:	February 28, 2013
Name:	Doug Doll	Title:	Manager, Compliance and Corporate Services