

NOTICE OF SPECIFIED PENALTY

Date of Issue: September 24, 2014

Payment Due Date: October 24, 2014

MSA File Number:	2014-320	Specified Penalty Amount:	\$ 1,500
Market Participant Name:	Algonquin Power Operating Trust		
Asset ID (if applicable):	DKSN	Self Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule:	203.3	Date of Contravention:	May 31, 2014
Date of Referral/Self Report:	September 11, 2014	This is the second contravention by this asset for this rule within a rolling 12 month period.	

EVENT DETAILS

On May 31, 2014, from approximately 02:31 to 04:55, the available capability (AC) of the DKSN generating asset was declared to be 9 MW while the unit was apparently unable to generate due to an unplanned outage. Further, from approximately 11:43 to 15:34 the same day, the AC for DKSN was declared to be 0 MW while the unit was generating at approximately 11 MW. ISO rule 203.3 indicates that a pool participant that submits an offer must, if there is a change to the available capability of the source asset as a result of an acceptable operational reason, submit an available capability restatement revising the available capability for the applicable hours, as soon as reasonably practicable.

FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of ISO rule 203.3.

MATERIAL FACTS

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

1. AESO generation and available capability data for DKSN for May 31, 2014.
2. AESO information request issued to Algonquin Power Operating Trust dated August 19, 2014.
3. Algonquin Power Operating Trust's response to the AESO information request dated September 8, 2014.
4. Referral from the AESO to the MSA dated September 11, 2014.

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 than confirmation of receipt of payment from the Commission 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:	September 24, 2014
Name:	Doug Doll	Title:	Manager Compliance and Corporate Services