

## NOTICE OF SPECIFIED PENALTY

Date of Issue: March 17, 2016

Payment Due Date: April 18, 2016

MSA File Number:	2016-068	<b>Specified Penalty Amount:</b>	\$ 2,500
Market Participant Name:	Milner Power Limited Partnership by its General Partner Milner Power Inc.		
Asset ID (if applicable):	HRM	Self Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule:	203.3	Date of Contravention:	December 22, 2015
Date of Referral/Self Report:	March 3, 2016	This is the second contravention by this asset for this rule within a rolling 12 month period.	

### EVENT DETAILS

On December 22, 2015, for hours ending (HE) 22, 23, and 24, both the MW offers and available capability (AC) for the HRM asset were restated within T-2, with the reason of "Gas Load (Mill down for repair)" when a restatement of AC alone could reasonably have accommodated the asset's operating state. ISO rule 203.3 indicates that a pool participant that submits an offer may submit a MW restatement redistributing the MW to represent the operating state of the asset, as soon as reasonably practicable, if the asset cannot comply with the offer as a result of an acceptable operational reason, or an operational deviation, and an available capability restatement cannot accommodate the asset's operating state.

### 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 energy offer and available capability data for HRM for December 22, 2015.
2. AESO information request issued to Milner Power Limited Partnership dated March 2, 2016.
3. Milner Power Limited Partnership's response to the AESO information request dated March 2, 2016.
4. Referral from the AESO to the MSA dated March 3, 2016.
5. Additional information from Milner Power Limited Partnership to the MSA dated March 10, 2016.

### 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 Andrew Davison (Senior Market Analyst) [andrew.davison@auc.ab.ca](mailto:andrew.davison@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 receipt of confirmation 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](mailto:compliance@albertamsa.ca).

### SIGNATURE

Signature:	"Original Signed"	Signature Date:	March 17, 2016
Name:	Doug Doll	Title:	Director Corporate Services and Compliance