

## NOTICE OF SPECIFIED PENALTY

Date of Issue: June 24, 2010

Payment Due Date: July 26, 2010

MSA File Number:	2010-037	<b>Specified Penalty Amount:</b>	\$ 1,500
Market Participant Name:	Cargill Energy Trading Canada		
Asset ID (if applicable):	CABC	Self Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule:	6.3.3	Date of Contravention:	November 8, 2009
Date of Referral/Self Report:	May 13, 2010	This is the third contravention by this asset for this rule within a rolling 12 month period. See MSA Files 2009-054 and 2010-030	

### EVENT DETAILS

On November 8, 2009 the offer Available Capability (AC) value for CABC asset was 25 MW for HE 21. For this same hour, the sum of the import e-tag quantities was 0 MW. This was a discrepancy of 25 MW. Section 6.3.3 of the ISO rules requires, for an importer (exporter), that the AC be restated in accordance with rule 3.5.3.2 (3.5.4.2) prior to the settlement interval in which the offer (bid) is to take effect, to equal the sum of the importer's (exporter's) e-tag quantities for that interval.

### FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of ISO rule 6.3.3.

### MATERIAL FACTS

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

1. AESO metered and offered volume data for the CABC asset for November 8, 2009.
2. AESO Information Request to Cargill Energy Trading Canada dated April 12, 2010.
3. Cargill Energy Trading Canada April 26, 2010 response to AESO information request.
4. Letter to Cargill Energy Trading Canada dated May 13, 2010 notifying 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](mailto:compliance@albertamsa.ca), with copy to the following AUC personnel: Cora Anderson [cora.anderson@auc.ab.ca](mailto:cora.anderson@auc.ab.ca), 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:		Signature Date:	September 13, 2010
Name:	Wayne Silk	Title:	Deputy Administrator