

NOTICE OF SPECIFIED PENALTY

Date of Issue: August 22, 2011

Payment Due Date: September 22, 2011

MSA File Number:	2011-142	Specified Penalty Amount:	\$ 500
Market Participant Name:	Air Liquide Canada Inc.		
Asset ID (if applicable):	ALS1	Self Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule:	3.5.5	Date of Contravention:	March 31, 2011
Date of Referral/Self Report:	July 18, 2011	This is the first contravention by this asset for this rule within a rolling 12 month period.	

EVENT DETAILS

On March 31, 2011 a Dispatch Down Service (DDS) energy restatement was submitted for the ALS1 asset at approximately 10:22 for HE11 to HE 13 on March 31, 2011 which decreased the the DDS offer for the asset within the T-2 window without an acceptable operational reason. This restatement had the effect of decreasing the DDS offer from 30 to 0 MW. Section 3.5.5.2(a) of ISO rule 3.5.5 requires that a DDS energy restatement is permitted within two hours before the start of any settlement interval and only for an acceptable operational reason.

FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of ISO rule 3.5.5.

MATERIAL FACTS

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

1. AESO DDS restatement and offer data for the ALS1 asset for March 31, 2011.
2. AESO Information Request to Air Liquide Canada Inc. dated May 12, 2011.
3. Air Liquide Canada Inc. May 27, 2011 response to AESO information request.
4. AESO letter to Air Liquide Canada Inc. dated July 18, 2011 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, 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 30 days and no later than 45 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:	August 22, 2011
Name:	Doug Doll	Title:	Manager Compliance