

NOTICE OF SPECIFIED PENALTY

Date of Issue: June 28, 2012

Payment Due Date: July 30, 2012

MSA File Number:	2012-159	Specified Penalty Amount:	\$ 1,500
Market Participant Name:	Cenovus FCCL Ltd.		
Asset ID (if applicable):	EC04	Self Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule:	6.6	Date of Contravention:	January 17, 2012
Date of Referral/Self Report:	June 4, 2012	This is the first contravention by this asset for this rule within a rolling 12 month period.	

EVENT DETAILS

On January 17, 2012 at approximately 00:50 the EC04 asset accepted a 94 MW energy dispatch for immediate effect. While dispatched at 94 MW, between 02:31 and 03:00, the EC04 asset generated outside its allowable dispatch variance (ADV) of 5 MW for three 10 minute clock periods. Section 6.6.2 of ISO Rule 6.6 states that during generating asset steady state, with reference to an energy market dispatch issued to a pool participant, the average quantity (MW) delivered by a generating asset in any 10 minute clock period referenced in the energy market dispatch must not vary from the energy market dispatch quantity (MW) by more than the ADV.

FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of ISO Rule 6.6.

MATERIAL FACTS

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

1. AESO available capability, generation and dispatch data for the EC04 asset for January 17, 2012.
2. AESO Information Request to Cenovus Energy Inc. dated May 8, 2012.
3. Cenovus Energy Inc. May 23, 2012 response to AESO Information Request.
4. AESO letter to Cenovus Energy Inc. dated June 4, 2012 notifying of 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 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:	June 28, 2012
Name:	Doug Doll	Title:	Manager Compliance