



Feb 20, 2008

Mr. Wayne Silk
Vice-President, Chief Operating Officer
Suite 500, 400 – 5th Avenue SW
Calgary, AB T2P 0L6

Re: Revised MSA Investigation Procedures

Dear Wayne,

ATCO Power appreciates the opportunity to provide comments on the Revised MSA Investigation Procedures.

ATCO Power strongly believes the objective of the Expedited process re: ISO rules should engender a culture of compliance, internal improvement and self-reporting. We would appreciate the MSA providing clarity as part of Appendix A on the initial point of contact for self-reporting on Special case - ISO rules, should this be to the AESO or the MSA?

In Appendix A, the MSA makes reference to MSR S. 6 as a relevant enactment for the publication of any notice of specified penalty issued by the MSA. In MSR S. 6(2) it states “The MSA may make public the following...” and in MSR S. 6(3) it states “In considering whether to make a record public, the MSA must take into account implications...”. According to the afore mentioned regulations, ATCO Power asserts the Notice of Specified Penalty made public section in Appendix A should be reworded as: In accordance with the relevant enactments and rules, the MSA **may** make public any notice of specified penalty issued by the MSA. [Reference MSR S. 6].

The ultimate design of the specified penalty matrix will need to be a consideration in the MSA’s decision to make public any notice of specified penalties issued. ATCO Power would like to reserve the right to comment on the Investigation Procedures once a decision has been made by the AUC with respect to Rule 019.

Sincerely,

A handwritten signature in black ink, appearing to read "Anders Renborg".

Anders Renborg
VP Commercial, Asset Optimization
ATCO Power