

## NOTICE OF SPECIFIED PENALTY

Date of Issue: April 9, 2010

Payment Due Date: May 10, 2010

MSA File Number:	2010-015	<b>Specified Penalty Amount:</b>	\$ 2,500
Market Participant Name:	Syncrude Canada Ltd.		
Asset ID (if applicable):	SCL1	Self Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule:	6.6	Date of Contravention:	December 22, 2009
Date of Referral/Self Report:	March 19, 2010	This is the second contravention by this asset for this rule within a rolling 12 month period.	

### EVENT DETAILS

On December 22, 2009 SCL1 asset was generating in steady state from approximately 20:08 until 22:49 at 28 MW. Between the period 22:50 and 23:59:59 the SCL1 asset generated at a level up to 36 MW outside of its allowable dispatch variance (ADV) of 5 MW for 7 ten minute clock periods. Section 6.6.2(a) of ISO rule 6.6 requires that the average quantity (MW) delivered by a generating asset in any 10 minute clock period 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 (AC), dispatch, and generation data for SCL1 asset on December 22, 2009.
2. AESO Information Request to Syncrude Canada Ltd. dated February 12, 2010.
3. Syncrude Canada Ltd. February 26, 2010 response to AESO information request.
4. AESO letter to Syncrude Canada dated March 19, 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 shall be made public 30 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:	<i>"Originally Signed"</i>	Signature Date:	April 9, 2010
Name:	Matt Ayres	Title:	Chief Economist