

Market Surveillance Administrator

**TRADING PRACTICES GUIDELINE (TPG) AND INFORMATION
DISCLOSURE PROCEDURE (IDP) STAKEHOLDER
CONSULTATION WORKSHOP**

JUNE 10, 2004

SUMMARY OF STAKEHOLDER FEEDBACK

Framework

Framework Partners Inc.
June 18, 2004

SUMMARY OF TPG / IDP WORKSHOP

INTRODUCTION

Workshop Overview and Objectives

The Market Surveillance Administrator (MSA) held a workshop with a range of market participants and stakeholders to discuss issues regarding the Trading Practices Guideline (TPG) and the proposed Information Disclosure Procedure (IDP). The objectives of this workshop were to:

- Provide participants with an opportunity to become more familiar with the TPG.
- To solicit additional feedback from participants for specific IDP issues where there was a divergence of comments from stakeholders.
- To show how the use of the IDP will facilitate compliance with a *fair, efficient and openly competitive* market.
- To communicate next steps in the implementation of the IDP.

Structure and Timing

The workshop was held on June 10, 2004 at the Hyatt Regency Calgary. Martin Merritt, Wayne Silk, Rob Spragins and Wes Green of the MSA participated in the presentation and discussions. Vic Kirby from Framework Partners provided facilitation support.

A list of attendees is included as Appendix A.

Presentation and Discussion Topics

The workshop began with an overview of the intent and principles underlying the TPG and IDP, presented by Martin Merritt. A question and answer period followed this presentation.

The remainder of the day was focused on discussions regarding key IDP issues, and was divided into three topics:

- IDP compliance matters,
- IDP process matters,
- IDP reporting matters.

In each of these areas, Rob Spragins and Wes Green provided an overview of issues where written submissions from participants indicated general consensus. The discussion was then focused on issues where there was a divergence of comments from stakeholders.

Next Steps

Coming out of the workshop, four next steps were identified:

- A summary of the stakeholder feedback will be published on the MSA web site
- The MSA will continue to accept written submissions that relate to the scope of today's presentation and discussion until June 18, 2004

- The MSA will finalize and publish the IDP procedure, taking into account stakeholder comments, by June 25, 2004
- Commencing July 5, 2004, the MSA will resume publishing outage data collected through the IDP.

OVERVIEW OF THE TPG AND IDP

CONTEXT

Martin Merritt presented an overview of the TPG and IDP. This presentation focused on the principles-based approach taken by the MSA. The principles underlying the TPG and the IDP were explained and discussed. Martin also provided the MSA's perspective on the intended outcomes of the TPG and IDP, and articulated how they are expected to support the ultimate goal of a *fair, efficient and openly competitive* market.

In the presentation, it was made clear that the TPG is an articulation of the MSA's existing view regarding the use of non-public outage information. The TPG has been published by the MSA to enable market participants to understand the MSA's view and the IDP has been developed as a tool to enable market participants to remain compliant with the principles of the TPG. The MSA intends to maintain a principles-based, rather than prescriptive, approach to implementing the TPG and IDP.

AREAS OF DISCUSSION

Rationale for the TPG and IDP

TransAlta raised their concern that the TPG and IDP have been developed to address a perceived problem in the marketplace regarding forward market liquidity, without clear, empirical proof of a problem. Similarly, TransAlta expressed concern that the MSA did not have a baseline from which to assess the benefit, if any, of the TPG.

The MSA responded that, over the last year or more, a number of market participants had raised lack of forward market liquidity as a concern, and that current bid/ask spreads provide information that supports that view.

Scope of the TPG and IDP

There was some discussion regarding the scope of the TPG and IDP, in terms of the kinds of information covered under the guideline. In particular, TransAlta suggested that a principle regarding trading on private information would include outages, "onages", and other private information (e.g., insight into upcoming regulatory changes, etc.).

The MSA indicated that it was not intending to reduce the value of proprietary analysis or information of a commercial strategy nature. The TPG and IDP are intended to address information asymmetry in the market, arising from the presence of a small number of large industry players, in respect to information on outages (and subsequent "onages").

TransCanada and The Cogent Group also indicated that behaviour on the B.C. inter-tie was a significant concern which needed to be addressed. It was noted that the behaviour on the inter-tie does not always appear rational, and that this asset has a substantial impact on market prices in Alberta. The MSA was asked if they have the authority or jurisdiction to influence or review pricing of imported power using the inter-tie.

The MSA agreed with participants that the inter-tie has a significant impact on the market. The MSA believes that the inter-tie needs to be subject to the same guidelines and market rules as other industry participants. As a result, the MSA broadly monitors activity on the inter-tie as part of its mandate to ensure a *fair, efficient and openly competitive* market. The MSA indicated that it is continuing to review the impact of the tie-line which will include issues related to pricing.

*Implications of
Inaccurate Outage
Reporting*

A number of participants were concerned about the potential ramifications of errors or inaccuracies in the reporting of outage information, and the potential implications of submitting inaccurate information. The MSA was asked about the criteria that will be used to assess inadvertence or honest error, and about the presence, if any, of a liability associated with submitting inaccurate information. In addition, the MSA was also asked about the implications of the TPG and IDP in terms of the MSA's ability to examine the records of market participants.

The MSA responded that, given the principle-based approach, the MSA will use its forbearance by not taking any action against participants who submit incorrect information on the basis of best efforts and in good faith. The MSA stated that outage information will be published on an as-is basis, and that use of that information by participants will be at their own risk. The MSA will monitor the quality of information being submitted and will address any consistent pattern of inaccurate reporting by participants. The MSA also indicated that the TPG and IDP do not have any impact on the MSA's current authority to examine market participant behaviour, including their internal records, to ensure compliance with the principles of a *fair, efficient and openly competitive* market.

*Implications of the TPG
and IDP on Market
Liquidity*

TransCanada expressed a concern that greater information disclosure through the IDP may result in a reduction in forward market liquidity. This view was based on a perception that market participants may have difficulty exiting previously held positions under certain outage conditions. As a result, participants may be less willing to enter into longer term positions in the market.

The MSA accepted this as a plausible hypothesis, and indicated that if such an outcome were consistently seen, the IDP would be revised or removed.

*Assessing the Impact of
the TPG and IDP*

TransAlta and IPCAA expressed a desire for the metrics that will be used to assess the benefits of the TPG and IDP to be established and communicated to stakeholders at the outset of implementation. It was suggested that these metrics be specific, objective and measurable, and expressed concern regarding the potential use of anecdotal information for this purpose. IPCAA expressed their belief that other jurisdictions have developed metrics that are fair to both supply and load.

The MSA expressed their similar preference for objective and measurable metrics, but indicated its concern that not all factors affecting forward market liquidity will be measurable, and that the interplay between various metrics may be complex. The MSA requested written feedback from participants regarding potential metrics to be used as measures for success and appropriate thresholds.

IDP COMPLIANCE MATTERS

CONSENSUS ISSUE: PARTIES COVERED BY THE IDP

<i>Question #2</i>	What other parties, if any, should be covered by the IDP?
<i>MSA Proposal</i>	The MSA proposed that the IDP apply to all generating, load, transmission, and inter-tie assets that have the potential to materially impact market prices due to an outage.
<i>Previously Received Feedback</i>	From previously received written submissions from stakeholders, the MSA perceived a general consensus that the IDP should apply to these parties.
<i>Transmission Reporting</i>	<p>The Balancing Pool and TransAlta raised the issue of transmission outages and how they would be reported. It was noted that transmission outages have the potential to affect supply and load.</p> <p>The Balancing Pool asked for clarification on the mechanism for reporting of transmission outages, and on which transmission assets will be required to report.</p> <p>TransAlta indicated that they viewed their knowledge of the interrelationships between transmission and generation as valuable proprietary analysis.</p> <p>The MSA indicated that all single contingency transmission assets have been identified and will be required to report, given their potential impact on the market. The MSA confirmed that it intends to work directly with the AESO to develop an appropriate mechanism for gathering and publishing transmission outage information. The MSA further noted that any generators impacted by transmission outages are currently required under OPP 601 to submit outage information.</p> <p>In response to a follow-up question, the MSA indicated that while SaskPower and BC Hydro have not participated in this process, market participants using the inter-ties will be required to report, and that Available Transfer Capacity (ATC) changes, which are already reported through the AESO, will be incorporated into the IDP.</p>

*Breadth of Application
of TPG and IDP*

TransCanada suggested that TPG and IDP compliance should be based on market power, and that smaller industry players with no market power should be permitted to trade on proprietary outage information without disclosure. They raised the concern that the TPG and IDP would require small investors to provide non-investors information on the market, thereby reducing the value of investing in the market.

The IPCAA also commented that market participants with market power may require a different standard of trading behaviour than participants without market power.

TransAlta suggested that large players should also obtain value from their investment, in terms of access to proprietary information. They raised a concern that, while information gained through investment in analysis may be valuable, the TPG and IDP eliminate any value derived from information gained through investing in fixed assets.

UBS suggested that they understood the TPG to be a minimum standard for all players in the market. UBS expressed their belief that without the TPG and IDP, the MSA would still have the authority to address the impact of asymmetric information, particularly if evidence of repetitive inappropriate trading behaviour is seen. UBS further indicated that they believe that investment in capital to obtain an unfair information advantage is inappropriate, and capital investments should be based on the economic case for the asset.

Constellation agreed with UBS that the TPG sets an expectation that would exist even without its publication.

The MSA responded to this discussion by highlighting the legacy issues with respect to the deregulation of the Alberta market and the presence of large pre-existing asset owners. These issues are unique and require the TPG to address them and support the development of a *fair, efficient and openly competitive* market. The MSA emphasized the need to balance the rights of asset owners with the rights of the smaller players and the rights of the market. In addition, the MSA highlighted that the TPG and IDP are in response to information asymmetry regarding outage information, and are intended to provide a tool to enable market participants to compete in the spirit of the EUA.

DISCUSSION TOPIC: INFORMATION SUBMISSION

Question #3 What entity should be responsible for the submission of information (e.g., asset owner, affiliates or agents)?

MSA Proposal The asset owner or its designate should be responsible for submitting outage information. Regardless of who submits the information, all parties who have knowledge of the event are still bound by the conditions of the TPG until it becomes public.

Reporting for PPA Assets TransAlta noted that submission of this information will require the consent of both the PPA Owner and the PPA Buyer, and raised a concern that, should one party choose not to submit the information, the other party will be unable to trade on that information.

EPCOR commented that having the PPA Owner submit at the same time as informing the PPA Buyer would not allow the PPA Buyer any time to examine and react to the information. As a result, EPCOR advocated that the PPA Buyer should be required to submit outage information through the IDP, and noted that a legislative change could be implemented to override current PPA obligations.

TransCanada suggested that PPA Owners should be required to submit information, as they are in control of outage decisions.

Candela Energy also indicated their preference for PPA Owners to be the reporting entity.

The MSA reiterated their preference that market participants involved in existing contractual arrangements, such as the PPAs, be free to determine how best to comply with the IDP.

Load Reporting TransCanada expressed concerns regarding perceived market information asymmetry between supply and load, based on limited flexibility provided to supply through the day-ahead offer process relative to the fully flexible bid structure for load.

IPCAA's representative expressed his concern on the lack of clarity with regard to the requirements for load to report, and indicated that he would undertake further consultation with his members on this issue.

Dow highlighted that, for co-located supply and load sites, a coordinated approach is often taken with respect to supply and load outages. As a result, a single reporting entity may provide an unbalanced and inaccurate perspective of outage information.

DISCUSSION TOPIC: EXEMPTIONS FROM THE IDP

- Question #1* Should certain participants be exempt from the IDP? What are the criteria for determining who must comply with the IDP?
- MSA Proposal* The MSA proposed that all generators, load, transmission facility owners, and interconnected members with assets equal or greater than 40 MW would be required to submit information about outages in excess of 40 MW.
- Derates* The MSA clarified that derates are considered outages for the purposes of the TPG and IDP.
- “Out of Market” Supply* The Balancing Pool asked for clarification on whether “out of market” / uneconomic generation would be required to report outage information and if that information would be fully included in published outage information.
- The MSA responded that all generation outage information, regardless of dispatch, will be required to report and will be published.
- Outage Reporting Threshold* Workshop participants provided a range of perspectives on the proposed 40 MW outage reporting threshold.
- TransAlta advocated for a threshold based on the minimum block size of 1 MW, since any block can set market prices. TransAlta referred to the chart showing a change in block size causing a change in real time market price, and suggested that the graph indicates that, for a significant amount of time, small blocks affect prices.
- UBS indicated that they perceived the proposed 40 MW threshold to be reasonable, given that it covers 95% of generation in the market. UBS suggested that the 95% threshold should be applied across asset types. This perspective regarding the use of a constant % threshold was supported by TransCanada.
- Valeo Power suggested that a 1 MW threshold would not be practical for load, given the fragmented nature of loads behind any single connection. Valeo suggested that while reporting of major turnarounds and planned maintenance would be feasible, a 1 MW threshold would create an infeasible reporting requirement. Valeo Power also suggested that a 1 MW threshold would have no impact on forward markets, despite the potential for 1 MW blocks to set spot prices.
- IPCAA indicated that it, or its members, would provide further written response to this issue.

TransAlta suggested that the principles used to determine the threshold should be agreed upon.

The MSA invited further input from stakeholders regarding this threshold and the principles or approach to establish the appropriate level. The MSA indicated that it will attempt to find a balance between issues of materiality, utility and complexity, and that the ultimate threshold will represent a compromise between the viewpoints brought forth both at the workshop and through prior stakeholder engagement activities and written submissions.

Transmission

The Balancing Pool raised the practical implications of having all transmission lines greater than 40 MW report outage information.

The MSA responded that not all transmission lines are expected to be included in the IDP. Transmission assets would be included on the basis of the potential materiality of outages on market prices.

IDP PROCESS MATTERS

CONSENSUS ISSUE: NATURE OF OUTAGE INFORMATION TO BE SUBMITTED

<i>Question #4</i>	What outage information should be submitted to the MSA? How does the IDP process relate to load, transmission and inter-tie assets?
<i>MSA Proposal</i>	The MSA proposed that all asset owners would submit information pursuant to or in a manner consistent with the AESO's operating policy – OPP 601.
<i>Previously Received Feedback</i>	From previously received written submissions from stakeholders, the MSA understood that there was general consensus that outage information should be submitted in a manner consistent with OPP 601.
<i>AESO vs. IDP Reporting Requirements</i>	<p>TransAlta and IPCAA raised a concern regarding the use of OPP 601 as the reporting mechanism and the differences between the AESO's reporting requirements for system security purposes and the market intent of the IDP.</p> <p>TransAlta indicated their view that outage information submitted to the AESO through OPP 601 is done so on a confidential basis, and that subsequent transmission of this information to the MSA as per the IDP may represent a breach of that confidentiality.</p> <p>The MSA responded that the use of OPP 601 was intended to provide a tool to market participants based on existing reporting mechanism, to increase convenience and reduce bureaucracy. The MSA also noted that the IDP may result in improved outage information for the AESO, enhancing their system management activities.</p>
<i>Interaction Between Gas and Power Trading</i>	<p>TransAlta raised a concern regarding the potential for conflict between gas trading activities and power trading activities. Specifically, if a gas supplier or gas trader is able to identify when a plant is coming back on-line, would they be required to submit that information or would they be able to trade power based on that knowledge?</p> <p>The MSA noted that only a plant coming back on-line as a result of an outage would be relevant under the TPG and IDP, and under those circumstances, the outage, including its duration, would already have been reported.</p>

**DISCUSSION TOPIC:
TIME FRAME FOR INFORMATION SUBMISSION**

- Question #5* What is the appropriate time frame for submitting outage information? What time period should be covered by outage information?
- MSA Proposal* The information required by the MSA would be consistent with AESO's OPP 601, which requires planned outages to be submitted out to the end of the next calendar year prior to October 31 of the current year.
- Appropriateness of OPP 601 Timeframe* Valeo Power noted that utility of forward information projections declines significantly as the time horizon extends, and suggested that a 12 month rolling requirement may be appropriate. Valeo further suggested that a 12 month rolling basis would match more closely the asset planning cycles of loads.
- AltaGas supported the OPP 601 timeframe as an appropriate basis for the IDP.
- TransAlta noted that OPP 601 is completed on a best efforts basis and that longer term information will have greater uncertainty, and is not meaningful past approximately one quarter. As a result, TransAlta suggested that any participant trading on longer term information would do so at their own risk.
- Differences between IDP and OPP 601* TransAlta requested that any differences between the IDP requirements and OPP 601 be published on the MSA's web site.
- The MSA was amenable to publishing the specific differences between the IDP and OPP 601, where they occur.

**DISCUSSION TOPIC:
WHEN INFORMATION SHOULD BE SUBMITTED**

- Question #12* What is the point at which information should be submitted? When should outage information be submitted?
- MSA Proposal* Outage information is to be submitted when it becomes known by the asset owner. Depending on the type of outage (e.g., changes to planned outages, maintenance and forced outages) the time frame for reporting outages is defined in OPP 601.
- Reporting under* TransAlta raised their concern regarding the nature of information to

uncertain circumstances

be reported. Two examples were discussed, including an example where the possibility of an outage will occur and an example where an outage is planned, but the timing of the outage has not been specifically determined. They indicated that trading is based on a range of disparate pieces of information and is more of an art than a science. As a result, TransAlta suggested that knowledge of outage probabilities still leaves risk, and that trading upon that risk, therefore, should be reasonable. TransAlta indicated that they did not feel comfortable, given the guidance they have received from the MSA, in making the reporting decisions required within the IDP and that they did not feel that “if in doubt, don’t trade” was viable.

TransCanada responded by indicating their view that knowledge of outage probabilities across the majority of assets in the market still provides TransAlta with an unfair advantage.

TransAlta requested direction from the MSA on how outage probabilities and uncertain outage timing will be incorporated into the IDP. TransAlta also suggested that a separate discussion on market power was warranted, but that the MSA would have no authority to address that issue.

UBS commented that uncertain information can be considered material if it would allow you to trade successfully, and if that is the case, then that information should be disclosed. UBS further expressed their opinion that there will always be a “grey area” with respect to trading on proprietary information, as there is in insider trading of equities, and that each participant will need to make their compliance decisions based on their view of the risk of not reporting. UBS suggested that a more cautious approach is, in their opinion, appropriate.

TransAlta expressed concerns that the asset owner may be held responsible for disclosing a probable outage that does not occur.

UBS suggested that publishing information that is currently submitted as per OPP 601 would be a solid foundation for the IDP. According to their suggestion, the IDP could be expanded over time to include uncertain information.

The MSA invited market participants to consult with the MSA on specific issues, where necessary, to ensure that the participants are on side with the principles underlying the TPG.

*Process and Timing of
Disclosure*

Constellation recommended that, when information is reported by the PPA Owner to the PPA Buyer and to the Owner's trading floor, that the information also be disclosed through the IDP.

Constellation clarified this by indicating that they believe that when asset information is communicated to someone who can act on that information, particularly through trading, that the information be disclosed at that time. They used as an example the MAP protocol for communication.

TransAlta raised their concern regarding the fact that disclosure under the PPA requires agreement from both parties, and that the asset owner may be unable to trade based on outage information if the PPA Buyer refuses to allow disclosure.

The AESO noted that AESO's market rule 1.10.2 addressed the issue of sharing competitive information.

IDP REPORTING MATTERS

CONSENSUS ISSUE: APPROPRIATE ENTITY TO PUBLISH OUTAGE INFORMATION

<i>Question #11</i>	In the long-term, what is the appropriate entity for publishing outage information (e.g., AESO, MSA or other agency)?
<i>MSA Proposal</i>	The MSA made no specific proposal.
<i>Previously Received Feedback</i>	From previously received written submissions from stakeholders, the MSA perceived a general consensus that the AESO should eventually be responsible for publishing the outage information. The MSA noted that this may require some type of “formal framework” such as a rule change. The MSA will work with the AESO to effect change, if possible.
<i>AESO vs. MSA Publication of Outage Information and AESO Trading Activity</i>	<p>TransAlta expressed their position that AESO should continue to be the entity that publishes outage information.</p> <p>UBS and Candela expressed a preference for MSA publication of outage information. UBS noted that AESO’s current outage information format fully rolls up all information, rather than providing some level of disaggregation. Candela noted that the AESO has a significant trading presence in the market, and expressed concern regarding the MSA’s ability to identify inappropriate trading behaviour at the AESO, particularly within the ancillary services market.</p> <p>The MSA indicated its view that, in regards to trading, the AESO should be held to the same standard as other market participants, and that the MSA understands that there are structures and processes in place at AESO to ensure that their trading activities are not influenced by information submitted by market participants to meet system security requirements.</p>

**CONSENSUS ISSUE:
COMPLIANCE OFFICER AND PLAN REQUIREMENTS**

Question #13 Should market participants designate a Compliance Officer and file compliance plans with the MSA?

MSA Proposal The MSA made no specific proposal.

Previously Received Feedback From previously received written submissions from stakeholders, the MSA perceived a strong consensus that there should not be a Compliance Officer or Compliance Plan with respect to the TPG and the MSA accepts this position for now.

It was noted that the AESO has recently created a Compliance Officer position, but that this position is not specifically associated with or relevant to the TPG and IDP.

DISCUSSION TOPIC: PUBLISHED DATA AGGREGATION

Question #8 What data aggregation methodology best balances the rights of asset owners and market participants? What level of information publication would balance the rights and needs of individual asset owners with the rights and needs of the market at large with respect to the furtherance of a *fair, efficient and openly competitive* forward market?

MSA Proposal The MSA has suggested two different methods of aggregating the supply outage data provided to the AESO. During the trial publication period, the MSA produced the outage charts with aggregation by fuel type. On April 15, the MSA included a second proposed methodology using a generator's capacity factor.

Disaggregation of Published Outage Data TransAlta emphasized the need to balance the rights of asset owners with those of non-asset owning entities, and indicated their preference for a fully aggregated scale for published information. TransAlta made reference to their ability, during the trial period, to identify a competitor's asset in the outage information that was published by the MSA. TransAlta indicated that this, in their view, places the MSA in conflict with the EUA.

TransAlta did indicate that a capacity factor graph would be better at masking individual units than a fuel graph, but suggested that, with a clear articulation of the methodology, that a market participant may be able to identify confidential asset information through any form of disaggregated data. TransAlta expressed particular concern that competitors would be able to identify the Wabamun 4 unit, given its size and capacity factor.

UBS expressed support for disaggregation and believed that, with standard coal plant sizes in the published information, a market participant would not be able to decipher individual unit information.

TransAlta further suggested that, at the end of the turnaround season, it will be increasingly easy for market participants to identify individual units based on the remaining units requiring turnaround.

UBS responded that market participants would be able to determine these units at the end of the season based on currently published AESO outage information.

TransCanada expressed a preference to see full aggregation of outage data. In particular, TransCanada highlighted the unusual size of some of their gas units, and suggested that these units would be too easily identifiable in the disaggregated graphs. However, TransCanada did suggest that a capacity factor graph provided a more suitable disaggregation of outage information.

Candela Energy stated that, for there to be utility in the published outage information, some disaggregation is necessary. In addition, Candela expressed their belief that the graphs do not provide sufficient information for individual asset information to be determined.

UBS indicated their perspective that publishing fully aggregated outage information would leave the large market participants with a relative advantage over smaller market players. UBS suggested that rounding of the gas unit size would be a potential solution to TransCanada's concerns.

TransAlta requested clarification regarding the MSA's perspective on the potential for confidential asset information to become known.

AltaGas asked if the MSA's intent is to disguise individual units.

The MSA responded that TransAlta's ability to determine the specific unit during the trial period provided a manifestation of the information asymmetry issue. The MSA indicated that it does intend to mask individual units in order to balance the rights of the market with the rights of asset owners. Further, the MSA expressed its belief that providing the information in disaggregated forms, such as presented during the workshop and during the trial period, met the MSA's obligations under the EUA.

Seminole Energy expressed their support for the MSA's efforts and for disaggregation by fuel type in the published outage information.

DISCUSSION TOPIC: TIME PERIOD FOR PUBLISHING

Question #9 What are the appropriate time periods for publishing outage information? When does the MSA publish?

MSA Proposal During the trial period, the MSA published the outage information to the website by 9:00 AM each business day, but ultimately the publishing of outage information would be as near real time as possible.

There were no comments from workshop participants on this issue to supplement those already received through written submissions.

ADDITIONAL COMMENTS AND QUESTIONS

Operational Strategies

TransAlta requested clarification on the definition of an “operational strategy” as expressed in the TPG. TransAlta expressed concern that an arbitrary distinction was being made between an outage for physical reasons and an outage based on the choice to take an asset offline.

The MSA clarified that the TPG and IDP are only relevant to physical constraints, and are not intended to impact or report information regarding bid / offer strategies of supply or load. These bid / offer strategies are seen as commercial decisions outside of the TPG and IDP.

Publication of Responses to Specific Compliance Issues

TransAlta expressed a desire for answers provided by the MSA to individual participants regarding specific TGP and IDP compliance issues be published on the MSA website. TransAlta indicated that this would provide precedents for market participants and would ensure that market participants are not disadvantaged for requesting the MSA opinion on a specific issue or situation.

The MSA indicated that it was taking a principles based approach to the TPG and IDP. As a result, the MSA would invite participants to approach it with questions related to specific circumstances, and the MSA would provide its perspective. However, the MSA would not publish that perspective, and the MSA will not create answers to a multitude of hypothetical situations.

TransAlta expressed their disappointment regarding this answer.

APPENDIX A - ATTENDEES

<i>Market Surveillance Administrator</i>	Martin Merritt Wayne Silk Rob Spragins Wes Green
<i>Framework Partners (Facilitation)</i>	Vic Kirby Richard Nott
<i>Workshop Participants</i>	AESO Alberta Department of Energy Alberta Newsprint AltaGas ATCO Power Balancing Pool BP Calpine Candela Energy City of Medicine Hat The Cogent Group Inc. Constellation Coral Energy Direct Energy Dow ENMAX Energy EPCOR IPCAA NatSource Nexen Pedro Rao (Consultant) Seminole Energy TransAlta TransCanada UBS Utility Network Valeo Power Williams Energy