

## NOTICE OF SPECIFIED PENALTY

|                              |                                                                           |                                                                                               |                                                                     |
|------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Date of Issue: July 11, 2019 |                                                                           | Payment Due Date: August 12, 2019                                                             |                                                                     |
| MSA File Number              | 2018-535                                                                  | <b>Specified Penalty Amount</b>                                                               | <b>\$250</b>                                                        |
| Registered Entity Name       | Milner Power Limited Partnership by its General Partner Milner Power Inc. |                                                                                               |                                                                     |
| Asset ID (if applicable)     | HRM                                                                       | Self-Report                                                                                   | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| ISO Rule                     | 502.4                                                                     | Date of Contravention                                                                         | November 3 through 8, 2018                                          |
| Date of Referral/Self Report | November 30, 2018                                                         | This is the first contravention by this asset for this rule within a rolling 12 month period. |                                                                     |

### EVENT DETAILS

Information available to the MSA indicates that there were instances between November 3 through 8, 2018, when the Automated Dispatch and Messaging System (ADaMS) for the HRM generating asset was on outage. Subsection 2(2) of section 502.4 of the ISO rules states:

Subject to subsection 2(3), the provisions of this section 502.4 do not apply to any Automated Dispatch and Messaging System and voice communication systems in existence as of June 1, 2011, but those systems must remain in compliance with the technical specifications and operational requirements which were in effect as of the original date of the commencement of the systems' operation, including those in Appendix 1.

In this case, the relevant specifications are set out in Table 2 of OPP 003.2 (note similar wording appears in Appendix 1 of section 502.4 of the ISO rules), which states:

| Standard Description             | Applicable To                                                                           | Standard Requirement                      | Reason for Standard                                                                                                   |
|----------------------------------|-----------------------------------------------------------------------------------------|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| Maximum participant outage time  | All pool participants receiving dispatches with total bids or offers greater than 25 MW | 26.25 hours per year. 99.7% availability. | Safe and reliable operation of the power system requires high pool participant availability for receiving dispatches. |
| Maximum outage time per incident | All pool participants receiving dispatches with total bids or offers greater than 25 MW | Six hours                                 | Safe and reliable operation of the power system requires high pool participant availability for receiving dispatches. |

According to OPP 003.2, maximum participant outage time means:

The maximum amount of accumulated time that the pool participant's ADaMS can be out of service over a period of 12 consecutive months.

According to OPP 003.2, maximum outage time per incident means:

The maximum amount of time that a pool participant's ADaMS can be out of service for any singular failure or groups of failures originating from the same event.

### FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of ISO rule 502.4.

## MATERIAL FACTS

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

1. AESO dispatch data for HRM for November 3 through 8, 2018.
2. Self-report submitted by Milner Power Limited Partnership by its General Partner Milner Power Inc. to the MSA dated November 30, 2018.
3. Additional information provided by Milner Power Limited Partnership by its General Partner Milner Power Inc. to the MSA dated February 14, 2019, in response to a MSA communication dated January 18, 2019.

## 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: 1400, 600 – 3rd Avenue S.W., Calgary, Alberta, T2P 0G5. Questions in respect of delivery of payment should be directed to the 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: Jeremy Smith (Financial Accountant) [Jeremy.Smith@auc.ab.ca](mailto:Jeremy.Smith@auc.ab.ca), and Greg Andrews (Investigator) [Greg.Andrews@auc.ab.ca](mailto:Greg.Andrews@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 receipt of confirmation of payment from the Commission 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](mailto:compliance@albertamsa.ca).

## SIGNATURE

|           |                                                                                     |                |                      |
|-----------|-------------------------------------------------------------------------------------|----------------|----------------------|
| Signature |  | Signature Date | July 11, 2019        |
| Name      | Anders Renborg                                                                      | Title          | Director, Compliance |