

## NOTICE OF SPECIFIED PENALTY

|                              |                      |   |   |
|------------------------------|----------------------|---|---|
| Date of Issue: May 25, 2018  |                      | Payment Due Date: June 25, 2018   |   |
| MSA File Number              | 2018-133             | <b>Specified Penalty Amount</b>   | <b>\$1500</b>   |
| Registered Entity Name       | Whitcourt Power Ltd. |   |   |
| Asset ID (if applicable)     | EAGL                 | Self-Report   | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| ISO Rule                     | 203.3                | Date of Contravention   | November 26, 2017   |
| Date of Referral/Self Report | April 19, 2018       | This is the first contravention by this asset for this rule within a rolling 12 month period. |   |

### EVENT DETAILS

On November 24, 2017 at approximately 17:09, the available capability (AC) for all settlement intervals of November 25, 2017 were restated to 0 MW with the reason "Extended Maintenance". However, the AC for all settlement intervals of November 26, 2017 remained at 25 MW until approximately 16:27 on that same day when the AC for settlement intervals HE 17 through HE 24 were restated to 0 MW with the reason "extended maintenance". Section 203.3 of the ISO rules indicates that if there is a change to the AC of the source asset, the pool participant must restate the AC as soon as reasonably practicable. Subsection 2(2) of section 203.3 of the ISO rules states:

A pool participant that submits an offer must, if there is a change to the available capability of the source asset as a result of any of the circumstances outlined in subsections 2(1)(a), (b) or (c), submit an available capability restatement revising the available capability for the applicable hours, as soon as reasonably practicable.

### FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of ISO rule 203.3.

### MATERIAL FACTS

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

1. AESO available capability data for EAGL for November 25 and 26, 2017.
2. AESO information request issued to Whitcourt Power Ltd. dated March 12, 2018.
3. Whitcourt Power Ltd.'s response to the AESO information request dated March 27, 2018.
4. Referral from the AESO to the MSA dated April 19, 2018.

### 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 | "Original Signed" | Signature Date | May 25, 2018                                |
| Name      | Doug Doll         | Title          | Director, Corporate Services and Compliance |