

NOTICE OF SPECIFIED PENALTY

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| Date of Issue: September 30, 2019 | | Payment Due Date: October 30, 2019 | |
| MSA File Number | 2018-389 | Specified Penalty Amount | \$5,000 |
| Registered Entity Name | EnerNOC Ltd. | | |
| Asset ID (if applicable) | ENOC | Self-Report | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| ISO Rule | 303.1 | Date of Contravention | July 26, 2018 |
| Date of Referral/Self Report | September 25, 2018 | This is the tenth contravention by this asset for this rule within a rolling 12 month period. | |
| EVENT DETAILS | | | |
| <p>During settlement intervals HE 08 through HE 09 on July 26, 2018, Air Liquide Canada Inc.'s asset, ALLI, offered approximately 13 MW of Load Shed Service for Import (LSSi) via EnerNOC Ltd.'s aggregating asset ENOC, while contracted to provide 14 MW of supplemental reserve load (SUPL). Information available to the MSA indicates that the ALLI asset is incapable of meeting its obligations for LSSi and SUPL simultaneously. Subsection 9 of section 303.1 of the ISO rules states:</p> <p style="padding-left: 40px;">The market participant must not use the MWs it uses to provide load shed service under this section of the ISO rules to also simultaneously provide ancillary services under any other section of the ISO rules or under any contract.</p> | | | |
| FINDINGS | | | |
| Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of ISO rule 303.1. | | | |
| MATERIAL FACTS | | | |
| <p>The material facts relied upon by the MSA include the following:</p> <ol style="list-style-type: none"> 1. AESO load, dispatch, directive, LSSi and supplemental reserve data for ALLI for July 26, 2018. 2. Self-report and supporting documentation submitted by Air Liquide Canada Inc. to the MSA dated September 25, 2018. 3. Additional information provided by Air Liquide Canada Inc. to the MSA dated June 11, 2019, in response to a MSA communication dated May 27, 2019. | | | |
| DELIVERY OF PAYMENT | | | |
| <p>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, with copy to the following AUC personnel: Jeremy Smith (Financial Accountant) Jeremy.Smith@auc.ab.ca, and Greg Andrews (Investigator) Greg.Andrews@auc.ab.ca.</p> | | | |
| NOTICE | | | |
| <p>The Market Surveillance Administrator (MSA) is granted the power and authority under s. 52 of the <i>Alberta Utilities Commission Act</i> 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.</p> <p>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.</p> <p>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.</p> <p>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.</p> | | | |
| SIGNATURE | | | |
| Signature | "Original Signed" | Signature Date | September 30, 2019 |
| Name | Anders Renborg | Title | Director, Compliance |