

## NOTICE OF SPECIFIED PENALTY

Date of Issue: September 20, 2019		Payment Due Date: October 21, 2019	
MSA File Number	2019-274	<b>Specified Penalty Amount</b>	<b>\$1500</b>
Registered Entity Name	Mercer Peace River Pulp Ltd.		
Asset ID (if applicable)	DAI1	Self-Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule	203.3	Date of Contravention	January 2, 2019
Date of Referral/Self Report	June 25, 2019	This is the first contravention by this asset for this rule within a rolling 12 month period.	

### EVENT DETAILS

Prior to the event, on the evening of January 1, 2019, DAI1 had restated its available capability (AC) to 0 MW to fix a water supply issue affecting the asset. At the time, this AC restatement did not extend past January 1, HE 24.

On January 2, 2019, at 00:00, that asset's AC reverted to a previously declared level of 24 MW, though the asset was still affected by water supply issues. At approximately 00:26 DAI1 submitted an AC restatement to 0 MW to reflect the operational state of the asset. Section 203.3 of the ISO Rules states in part:

2(1) A pool participant must only submit an available capability restatement revising the available capability of a source asset if such revision is:

- (a) as a result of an acceptable operational reason;
- (b) in relation to an operational deviation and required under subsection 5(3) of section 203.4 of the ISO rules, *Delivery Requirements for Energy*; or
- (c) in order to reflect the output of the source asset which is restricted during either one (1) or both of commissioning and testing under section 505.3 of the ISO rules, *Coordinating Synchronization, Commissioning, WECC Testing and Ancillary Services Testing* or under section 505.4 of the ISO rules, *Coordinating Operational Testing*.

(2) 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, dispatch, generation and energy offer data for DAI1 for January 2, 2019.
2. Referral from the AESO to the MSA dated June 25, 2019, and the associated documents which additionally include:
  - (a) AESO information request to Mercer Peace River Pulp Ltd., dated June 4, 2019.
  - (b) Mercer Peace River Pulp Ltd.'s response to the AESO information request, dated June 17, 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	"Original Signed"	Signature Date	September 18, 2019
Name	Anders Renborg	Title	Director, Compliance