

NOTICE OF SPECIFIED PENALTY

Date of Issue: November 19, 2019		Payment Due Date: December 19, 2019	
MSA File Number	2019-442	Specified Penalty Amount	\$5,000
Registered Entity Name	Milner Power Limited Partnership by its General Partner Milner Power Inc.		
Asset ID (if applicable)	HRM	Self-Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule Section	203.3	Date of Contravention	April 28, 2019
Date of Referral/Self Report	October 7, 2019	This is the third contravention by this asset for this section of the ISO rules within a rolling 12 month period.	

EVENT DETAILS

On April 27, 2019, the declared available capability (AC) of the HRM asset was 0 MW with the reason “shutting down for leak repair” for HE 24. On April 28, 2019, at 00:00, the declared AC of HRM was 144 MW with the reason “Default AC”. At 00:16:01, Milner Power Limited Partnership by its General Partner Milner Power Inc. submitted an AC restatement to 0 MW for HRM with the reason “shutting down for leak repair”, for HE 01 through HE 12. Information available to the MSA indicates that this AC restatement was not made as soon as reasonably practicable. Section 203.3 of the ISO rules states in part:

2(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 HRM for April 27 through 28, 2019.
2. AESO information request issued to Milner Power Limited Partnership by its General Partner Milner Power Inc., dated August 23, 2019.
3. Milner Power Limited Partnership by its General Partner Milner Power Inc.’s response to the AESO information request, dated September 12, 2019.
4. Referral from the AESO to the MSA dated October 7, 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, 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.

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.

SIGNATURE

Signature	"Original Signed"	Signature Date	November 19, 2019
Name	Andrew Wilkins	Title	Director, Compliance