

NOTICE OF SPECIFIED PENALTY

Date of Issue: January 31, 2020		Payment Due Date: March 2, 2020	
MSA File Number	2019-554	Specified Penalty Amount	\$500
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	306.5	Date of Contravention	May 8 through 13, 2019
Date of Referral/Self Report	December 16, 2019	This is the first contravention by this asset for this section of the ISO rules within a rolling 12 month period.	

EVENT DETAILS

Between May 8 and 12, 2019, restatements of the available capability (AC) of the HRM generating asset were made affecting the HE 24 May 8, 2019 settlement interval through to the HE 24 May 13, 2019 settlement interval. Except for the HE 24 May 8 settlement interval (during which AC was eventually restated from 52 MW down to 9 MW) and the HE 01 May 13 settlement interval (during which AC remained at 144 MW), AC was restated to 0 MW for all of these settlement intervals. The reasons accompanying these AC restatements to 0 MW included “maintenance outage”, “Short term outage”, “offline repairs” and “shut down”. Information available to the MSA indicates that the obligations outlined in subsection 2 of section 306.5 of the ISO rules were not followed. Section 306.5 of the ISO rules states in part:

2(1) A pool participant must, for any outage that results or will result in a change in available capability of five (5) MW or greater, comply with the notification requirements set forth in subsections 3, 4 or 5, as applicable.

[...]

(3) A pool participant must submit information required to be provided to the ISO pursuant to this section 306.5 via the Energy Trading System.

FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of section 306.5 of the ISO rules.

MATERIAL FACTS

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

1. AESO available capability, dispatch, generation and offer data for HRM for May 8 through 13, 2019.
2. AESO information request issued to Milner Power Limited Partnership by its General Partner Milner Power Inc., dated October 24, 2019.
3. Milner Power Limited Partnership by its General Partner Milner Power Inc.'s response to the AESO information request, dated November 26, 2019.
4. Referral from the AESO to the MSA dated December 16, 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	January 31, 2020
Name	Andrew Wilkins	Title	Director, Compliance