

NOTICE OF SPECIFIED PENALTY

Date of Issue: December 17, 2020		Payment Due Date: January 22, 2021	
MSA File Number	2020-225	Specified Penalty Amount	\$750
Market Participant Name	ATCO Power (2010) Ltd.		
Asset ID (if applicable)	OMRH	Self-Report	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ISO Rule Section	203.3	Date of Contravention	June 22, 2020
Date of Referral/Self Report	July 19, 2020	This is the first contravention by this asset for this section of the ISO rules within a rolling 12 month period.	

EVENT DETAILS

On June 22, 2020, at approximately 23:57:36, a MW offer restatement was submitted for the OMRH generating asset, which reallocated MWs from energy offer Block 1 (\$999.99/MWh) to Block 0 (\$32.00/MWh) for settlement intervals HE 1 and 2 on June 23. Information available to the MSA indicates that this restatement was not a result of an acceptable operational reason, and that this MW restatement was submitted within two hours of the start of the HE 1 and 2 settlement intervals. Section 203.3 of the ISO rules states, in part:

4(1) A pool participant that submits an offer may submit a MW restatement prior to two (2) hours before the start of a settlement interval.

(2) A pool participant that submits an offer must submit a MW restatement redistributing the MW to represent the operating state of the source asset, as soon as reasonably practicable, if the source asset cannot comply with the current offer as a result of:

(a) either

(i) an acceptable operational reason; or

(ii) an operational deviation and such restatement is required under subsection 5(3) of section 203.4 of the ISO rules, Delivery Requirements for Energy; and an available capability restatement under subsection 2 cannot reasonably accommodate the source asset's operating state; or

(b) carrying out 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.

(3) A pool participant must submit the reason or reasons for submitting a MW restatement in accordance with subsection 4(2)(a) if such MW restatement is submitted within two (2) hours of the start of the settlement interval or within the current settlement interval.

FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of section 203.3 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 OMRH for June 22, 2020.
2. Self-report submitted by ATCO Power (2010) Ltd. to the MSA dated July 19, 2020.
3. Mitigation Plan submitted by ATCO Power (2010) Ltd. to the MSA dated July 19, 2020.

DELIVERY OF PAYMENT

Payment by cheque or certified funds is to be made payable to the "General Revenue Fund c/o Minister of Finance", and delivered to Alberta Energy at: 9945 – 108 Street NW, Edmonton, Alberta, T5K 2G6. The payment should reference this Notice of Specified Penalty and related MSA File #. Electronic copies of the payment and confirmation of delivery should be sent by email to compliance@albertamsa.ca and enforcement@auc.ab.ca. Questions can be directed to compliance@albertamsa.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	December 17, 2020
Name	Andrew Wilkins	Title	Director, Compliance