

NOTICE OF SPECIFIED PENALTY

Date of Issue: April 22, 2022		Payment Due Date: May 24, 2022	
MSA File Number	2022-033	Specified Penalty Amount	\$500
Market Participant Name	Mercer Peace River Pulp Ltd.		
Asset ID (if applicable)	DAI1	Self-Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule Section	203.3	Date of Contravention	July 12, 2021
Date of Referral/Self-Report	January 24, 2022	This is the first contravention by this asset for this section of the ISO rules within a rolling 12-month period.	

EVENT DETAILS

During the July 12, 2021 HE 21 through HE 22 settlement intervals, the declared available capability (AC) of the DAI1 asset was 5 MW. Information available to the MSA indicates that AC restatements for these settlement intervals were required and not made as soon as reasonably practicable. 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.
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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 DAI1 for July 12, 2021.
 2. AESO information request issued to Mercer Peace River Pulp Ltd., dated January 5, 2022.
 3. Mercer Peace River Pulp Ltd.'s response to the AESO information request, dated January 12, 2022.
 4. Referral from the AESO to the MSA dated January 24, 2022.

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	April 22, 2022
Name	Andrew Wilkins	Title	Director, Compliance