

NOTICE OF SPECIFIED PENALTY

Date of Issue: July 26, 2022		Payment Due Date: August 25, 2022	
MSA File Number	2022-159	Specified Penalty Amount	\$500
Market Participant Name	Air Liquide Canada Inc.		
Asset ID (if applicable)	ALS1	Self-Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule Section	205.3	Date of Contravention	September 16 and 17, 2021
Date of Referral/Self-Report	June 6, 2022	This is the first contravention by this asset for this section of the ISO rules within a rolling 12-month period.	

EVENT DETAILS

On September 16, 2021, the ALS1 asset was contracted to provide supplemental reserve for the HE 01 through 24 settlement intervals, and on September 17, 2021, the ALS1 asset was contracted to provide supplemental reserve for the HE 01 through 07 and HE 24 settlement intervals. Information available to the MSA indicates that ALS1 was no longer able to deliver the MW set out in the offer, and did not submit a restatement for supplemental reserve to represent the operating state of the pool asset as soon as reasonably practicable with respect to the HE 24 settlement interval on September 16 or the HE 01 through 07 and HE 24 settlement intervals on September 17. Section 205.3 of the ISO rules states in part:

3(4) A pool participant that submits an offer must, as soon as reasonably practicable, submit a restatement to represent the operating state of the pool asset if:

- (a) the pool asset is no longer able to deliver the MW set out in the offer; or
- (b) the pool participant is not able to meet the requirements set out in Section 205.4 of the ISO rules, Regulating Reserve Technical Requirements and Performance Standards, Section 205.5 of the ISO rules, Spinning Reserve Technical Requirements and Performance Standards or Section 205.6 of the ISO rules, Supplemental Reserve Technical Requirements and Performance Standards, as applicable.

FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of section 205.3 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 ALS1 for September 16 and 17, 2021.
2. AESO information request issued to Air Liquide Canada Inc., dated January 31, 2022.
3. Air Liquide Canada Inc.'s response to the AESO information request, dated February 15, 2022.
4. Referral from the AESO to the MSA dated June 6, 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	July 26, 2022
Name	Andrew Wilkins	Title	Director, Compliance