

## NOTICE OF SPECIFIED PENALTY

Date of Issue: September 1, 2023		Payment Due Date: October 3, 2023	
MSA File Number	2023-035	<b>Specified Penalty Amount</b>	<b>\$250</b>
Market Participant Name	TransAlta Corporation		
Asset ID (if applicable)	TAY1	Self-Report	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ISO Rule Section	203.3	Date of Contravention	November 30, 2019
Date of Referral/Self Report	January 20, 2023	This is the first contravention by this asset for this section of the ISO rules within a rolling 12-month period.	

### EVENT DETAILS

Information available to the MSA indicates that during the period spanning from November 1, 2021 through April 30, 2022, the TAY1 asset was under a seasonal outage. TransAlta Corporation did not restate available capability for this outage 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.
- (3) A pool participant must submit the reason or reasons for submitting an available capability restatement for a source asset.

### FINDINGS

Based on 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 on by the MSA include the following:

1. AESO available capability, outage, and dispatch data for TAY1 for November 1, 2021 to April 30, 2022.
2. Self-report submitted by TransAlta Corporation to the MSA dated January 20, 2023.
3. Additional information provided by TransAlta Corporation to the MSA dated May 19 and July 11, 2023.

### DELIVERY OF PAYMENT

Payment by cheque, certified funds or electronic funds transfer (EFT) is to be made payable to the "General Revenue Fund c/o Minister of Finance" and delivered to Alberta Affordability and Utilities c/o Energy and Minerals 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](mailto:compliance@albertamsa.ca) and [enforcement@auc.ab.ca](mailto:enforcement@auc.ab.ca). Questions, including questions about EFT instructions, can be directed to [compliance@albertamsa.ca](mailto: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](mailto:compliance@albertamsa.ca).

## Approved By

Mark Nesbitt, Director, Enforcement on September 1, 2023