

NOTICE OF SPECIFIED PENALTY

Date of Issue: July 22, 2024		Payment Due Date: August 22, 2024	
MSA File Number	2023-483	Specified Penalty Amount	\$500
Market Participant Name	Capital Power (CBEC) L.P.		
Asset ID (if applicable)	ENC3	Self-Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule Section	205.3	Date of Contravention	March 16, 2023
Date of Referral/Self Report	November 14, 2023	This is the first contravention by this asset for this section of the ISO rules within a rolling 12-month period.	

MSA FINDINGS

On March 16, 2023, the ENC3 asset was contracted to provide 5 MW of spinning reserve and 6 MW of regulating reserve during the HE 1, 2, and 3 settlement intervals. Information available to the MSA indicates that ENC3 was no longer able to deliver the MW set out in the offer and did not submit a restatement for operating reserve to represent the operating state of the pool asset. 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.

The MSA is satisfied that the conduct was a contravention of section 205.3 of the ISO rules.

DELIVERY OF PAYMENT

Payment can be made by electronic funds transfer (EFT). Please reach out to compliance@albertamsa.ca for instructions. When submitting the EFT, please send an email to AU.FinOps@gov.ab.ca, compliance@albertamsa.ca and enforcement@auc.ab.ca noting the MSA file #, market participant name, name as appears on bank account, payment amount and the date of the payment. 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.

APPROVED BY

Mark Nesbitt, Director, Enforcement on July 19, 2024