

## NOTICE OF SPECIFIED PENALTY

Date of Issue: February 28, 2023		Payment Due Date: March 30, 2023	
MSA File Number	2022-348	<b>Specified Penalty Amount</b>	<b>\$500</b>
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	201.7	Date of Contravention	June 4 and 5, 2022
Date of Referral/Self Report	December 8, 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 June 4, 2022 during the HE 21 settlement interval and on June 5, 2022 during the HE 01 and 02 settlement intervals, a total of six dispatches were issued for the ALS1 asset and were not acknowledged within two minutes of receipt. Section 201.7 of the ISO rules states in part:

5 A pool participant must acknowledge receipt of a dispatch:

(a) in the case of an automated message and unless the pool participant has notified the ISO of an unavailability in accordance with subsection 4(1)(a) by responding via the Automated Dispatch and Messaging System:

(i) within two (2) minutes for an intra-Alberta transaction; and  
[...]

### FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of section 201.7 of the ISO rules.

### MATERIAL FACTS

The material facts relied upon by the MSA include the following:

1. AESO dispatch data for ALS1 for June 4 and 5, 2022.
2. AESO information request issued to Air Liquide Canada Inc., dated November 2, 2022.
3. Air Liquide Canada Inc.'s response to the AESO information request, dated November 28, 2022 and December 2, 2022.
4. Referral from the AESO to the MSA dated December 8, 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](mailto:compliance@albertamsa.ca) and [enforcement@auc.ab.ca](mailto:enforcement@auc.ab.ca). Questions 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).

### SIGNATURE

Signature	"Original Signed"	Signature Date	February 28, 2023
Name	Andrew Wilkins	Title	Director, Compliance