

NOTICE OF SPECIFIED PENALTY

Date of Issue: September 25, 2023		Payment Due Date: October 25, 2023	
MSA File Number	2023-115	Specified Penalty Amount	\$500
Market Participant Name	NRGreen Power Limited Partnership		
Asset ID (if applicable)	NRG3	Self-Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule Section	306.5	Date of Contravention	April 10 through October 4, 2022
Date of Referral/Self Report	March 17, 2023	This is the first contravention by this asset for this section of the ISO rules within a rolling 12-month period.	

MSA FINDINGS

Between April 10 and October 4, 2022, the NRG3 asset experienced a forced outage. Information available to the MSA indicates that outage information, including the designation of the outage, was not submitted as soon as reasonably practicable for various settlement intervals during that outage. Section 306.5 of the ISO rules states in part:

5 A pool participant must, as soon as reasonably practicable, submit automatic forced outage information as follows:

[...]

(b) submit a designation of the automatic forced outage as “Derate-Forced” or “Outage-Forced”.

The MSA is satisfied that the conduct was a contravention of section 306.5 of the ISO rules.

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 and enforcement@auc.ab.ca. Questions, including questions about EFT instructions, 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 September 25, 2023