

## NOTICE OF SPECIFIED PENALTY

Date of Issue: December 11, 2023		Payment Due Date: January 10, 2024	
MSA File Number	2023-149	<b>Specified Penalty Amount</b>	<b>\$500</b>
Market Participant Name	Ghost Pine Windfarm, LP		
Asset ID (if applicable)	NEP1	Self-Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule Section	203.3	Date of Contravention	August 1, 2022
Date of Referral/Self Report	April 5, 2023	This is the first contravention by this asset for this section of the ISO rules within a rolling 12-month period.	

### MSA FINDINGS

At the start of August 1, 2022, the declared available capability (AC) of the NEP1 asset was 0 MW for the HE 08 through HE 19 settlement intervals on August 1, 2022. Information available to the MSA indicates that AC restatements were required for settlement intervals HE 08 through HE 19 on August 1, 2022; however, these restatements were not made. 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.

The MSA is satisfied that the conduct was a contravention of section 203.3 of the ISO rules.

### DELIVERY OF PAYMENT

Payment can be made by electronic funds transfer (EFT). Please reach out to [compliance@albertamsa.ca](mailto:compliance@albertamsa.ca) for instructions. When submitting the EFT, please send an email to [AU.FinOps@gov.ab.ca](mailto:AU.FinOps@gov.ab.ca), [compliance@albertamsa.ca](mailto:compliance@albertamsa.ca) and [enforcement@auc.ab.ca](mailto:enforcement@auc.ab.ca) noting the dollar amount, date of the EFT, market participant name and the MSA File #. 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).

### APPROVED BY

Mark Nesbitt, Director, Enforcement on December 11, 2023