

NOTICE OF SPECIFIED PENALTY

Date of Issue: November 1, 2013

Payment Due Date: December 2, 2013

MSA File Number:	2013-360	Specified Penalty Amount:	\$ 500
Market Participant Name:	BowArk Energy Ltd.		
Asset ID (if applicable):	DRW1	Self Report	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ISO Rule:	6.5.3	Date of Contravention:	June 19, 2013
Date of Referral/Self Report:	October 22, 2013	This is the first contravention by this asset for this rule within a rolling 12 month period.	

EVENT DETAILS

On June 19, 2013, at approximately 20:58, the AESO issued an ancillary services directive to the DRW1 generating unit to deliver 5 MW of Supplemental Reserve Generation (SUPG). Due to an apparent operational issue, the DRW1 unit was unable to start promptly. Ten minutes following issuance of the directive, DRW1 was generating at or about 1 MW. In this case, the AESO did not receive any written notice of an event of force majeure. ISO Rule 6.5.3 states that for spinning reserve, supplemental reserve generation and supplemental reserve load (SR, SUPG, SUPL), the amount of MW stated in the ancillary service dispatch will be provided within 10 minutes of an ancillary service directive unless there is immediate risk to personnel or equipment safety.

FINDINGS

Based upon the information obtained by the MSA, the MSA is satisfied that the event was a contravention of ISO Rule 6.5.3.

MATERIAL FACTS

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

1. AESO information request issued to BowArk Energy Ltd. on August 22, 2013.
2. BowArk Energy Ltd. response to AESO information request dated September 5, 2013.
3. AESO letter dated October 22, 2013 to BowArk Energy Ltd. indicating referral of the matter to the MSA.

DELIVERY OF PAYMENT

Payment by cheque or certified funds is to be made out to the "General Revenue Fund c/o Minister of Finance", and delivered to the Alberta Utilities Commission (AUC) at: 4th Floor, 425 - 1st Street S.W., Calgary, Alberta, T2P 3L8. Questions in respect of delivery of payment should be addressed to the Director of Finance, AUC. The payment should reference this notice and related MSA File #. Delivery of payment should also be confirmed by email to compliance@albertamsa.ca, with copy to the following AUC personnel: Sabi Ghavami (Director, Finance) sabi.ghavami@auc.ab.ca, and Darin Lowther (Director, Market Rules) darin.lowther@auc.ab.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 30 days 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.

SIGNATURE

Signature:	"Original Signed"	Signature Date:	November 1, 2013
Name:	Doug Doll	Title:	Manager, Compliance and Corporate Services