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- 6.6.2.3 based on the determinations made in accordance with sections 6.6.2.1 and 6.6.2.2, issue a non-compliance letter or impose a financial penalty; and
- 6.6.2.4 where a determination is made to impose a financial penalty, fix the amount of the penalty in accordance with section 6.6.6.

6.6.2A When determining the particular level of non-compliance referred to in section 6.6.2.1, the *IESO* shall establish:

- whether all of the conditions for a level have been met; and
- that the manner and time, proposed by the *market participant*, within which the non-compliance event will be remedied are reasonable under the circumstances.

If a *market participant*

- meets some but not all of the conditions of any single level; or
- proposes a manner and time in which the non-compliance event will be remedied that are not reasonable under the circumstances in the opinion of the *IESO*,

then the *IESO* shall assign what it considers to be the appropriate non-compliance level.

6.6.3 The *IESO* shall determine the level of non-compliance referred to in section 6.6.2.1 as follows:

6.6.3.1 Level "L1" shall apply where the *market participant*:

- i. failed to comply, in part, with the requirements of a *market rule*, and
- ii. on its own initiative informed the *IESO* on a timely basis of:
  - the reasons for the non-compliance, and
  - the manner and time in which the non-compliance will be remedied.

6.6.3.2 Level "L2" shall apply where the *market participant*:

- i. failed to comply in whole with the requirements of a *market rule*, and
- ii. on its own initiative informed the *IESO* on a timely basis of:
  - the reasons for the non-compliance, and
  - the manner and time in which the non-compliance will be remedied.

6.6.3.3 Level "L3" shall apply where the *market participant*:



















<b>Non-compliance</b>	<b>Enforcement Action</b>
	<i>C</i> = <i>Market Price</i> x amount determined by the <i>IESO</i> under section 6.6.9
Chapter 5, section 10.3.4	Formula based penalty as per section 6.6.8 where; D= deviation from direction (MW) <i>C</i> = <i>Market Price</i> x amount determined by the <i>IESO</i> under section 6.6.9
Chapter 5, section 10.3.5	Formula based penalty as per section 6.6.8 where; D= deviation from direction (MW) <i>C</i> = <i>Market Price</i> x amount determined by the <i>IESO</i> under section 6.6.9