



**Report by
Dispute Resolution Counsellor**

January 2015 to December 2015

31 March 2016

**This report is prepared for the Energy Market Company Pte Ltd and
the Energy Market Authority.**

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INTRODUCTION

This is a report by the Dispute Resolution Counsellor ("DRC") on dispute resolution in relation to the wholesale electricity markets of the National Electricity Market of Singapore ("NEMS") from 1 January 2015 to 31 December 2015.

DISPUTE RESOLUTION INSTITUTIONS

The dispute resolution institutions of the wholesale electricity markets of the NEMS comprise the DRC and the Dispute Resolution and Compensation Panel ("DRCP"). The DRCP is made up of a Mediation Panel and an Arbitration Panel.

The DRCP members are:-

Mediation Panel

1. Chandra Mohan
2. Daniel John
3. Danny McFadden
4. Geoff Sharp
5. Associate Professor Joel Lee
6. Associate Professor Lim Lei Theng
7. Dr Peter Adler
8. Robert Yu
9. Shirli Kirschner

Arbitration Panel

1. Ang Cheng Hock, Senior Counsel
2. Ben Giaretta
3. Chelva Rajah, Senior Counsel
4. Giam Chin Toon, Senior Counsel
5. Gregory Thorpe
6. Harry Elias, Senior Counsel
7. Kenneth Tan, Senior Counsel
8. Professor Lawrence Boo
9. N Sreenivasan, Senior Counsel
10. Naresh Mahtani
11. Philip Jeyaretnam, Senior Counsel
12. Phillip Harris
13. Raymond Chan
14. Dr Robert Gaitskell, Queen's Counsel
15. Tan Chee Meng, Senior Counsel
16. Professor Tan Cheng Han, Senior Counsel

MARKET ASSESSMENT UNIT

The Market Assessment Unit of Energy Market Company Pte Ltd supports the dispute resolution process for the wholesale electricity markets of the NEMS and assists the DRC and DRCP in discharging their functions.

DISPUTE RESOLUTION PROCESS

Dispute Resolution Stages

The NEMS has a comprehensive approach to dispute resolution which enables disputes to be resolved outside of the courts. It involves the following stages:

- **Negotiation** - The parties attempt to resolve the dispute in good faith using their dispute management systems. This stage is initiated by a party to a dispute serving a notice of dispute on the other parties and giving a copy to the DRC.
- **Mediation** – If the dispute is not resolved by the parties themselves, it may be submitted for mediation. The mediation is conducted by a mediator selected from the Mediation Panel. This stage is initiated by a party serving a notice of mediation on the DRC.
- **Arbitration** - If the dispute is not resolved by the parties through mediation, it may be submitted for arbitration. The arbitration is conducted by an arbitrator(s) selected from the Arbitration Panel. This stage is initiated by a party filing a notice of arbitration with the DRC.

DMS and DMS Contacts

The dispute resolution rules require each market player to implement a dispute management system (“DMS”). The DMS has to nominate a main DMS contact and an alternate DMS contact to be the first point of contact for the notification of disputes. The DMS has also to be consistent with the guidance notes of the DRC.

The current DMS contacts are:-

1. Air Products - Shawn Zhang
2. Air Products - Tang Siew Wai
3. Best Electricity Supply - Terence Neo
4. Buri Energy - Nerine Teo
5. CGNPC Solar Biofuel Power (Singapore) - Nelson Ong
6. CGNPC Solar Biofuel Power (Singapore) - Zhang Hua
7. CPVT Energy Asia - Jeffrey Ng
8. CPVT Energy Asia - Vijay Sirse
9. Diamond Energy Supply - Laurence Kwan
10. ECO Special Waste Management - Ethiraj Thirumalai
11. ECO Special Waste Management - Vincent Tang
12. Energy Market Company - Tan Phaik Kim
13. ExxonMobil Asia Pacific - Elaine Lee
14. GlaxoSmithKline Biologicals - Chew Siou Ping
15. GlaxoSmithKline Biologicals - Wong Joon Jee
16. Green Power Asia - Daniel Ma

17. Hyflux Energy - Cindy Lim
18. Hyflux Energy - Ng Soo Yong
19. Keppel Electric - Joelyn Wong
20. Keppel Electric - Nicholas Tan
21. Keppel Merlimau Cogen - Sean Chan
22. Keppel Merlimau Cogen - Tini Mulyawati
23. LYS Genco Beta - Jonathan Chong
24. National Environment Agency - Siew Weng Soon
25. National Environment Agency - Teresa Tan
26. PacificLight Energy - Teo Chin Hau
27. PacificLight Power - Calvin Tan
28. PacificLight Power - Linda Wen
29. Pfizer Asia Pacific - Lee Chin Hoo
30. Pfizer Asia Pacific - Tan Meng Tong
31. Power System Operator - Agnes Tan
32. Power System Operator - Loh Poh Soon
33. Sembcorp Cogen - Ang Geok Chuan
34. Sembcorp Cogen - Agnes Low
35. Sembcorp Power - H C Chew
36. Senoko Energy - Luke Peacocke
37. Senoko Energy - Poo Siok Yin
38. Senoko Energy Supply - Eu Pui Sun
39. Senoko Energy Supply - Michelle Lim
40. Seraya Energy - Daniel Lee
41. Seraya Energy - Elaine Syn
42. Shell Eastern Petroleum - Pak-Juan Koe
43. Singapore LNG Corporation - Lam Zheng Xin
44. Singapore LNG Corporation - Vincent Lam
45. Singapore Oxygen Air Liquide - Lim Yong Yi
46. SP PowerAssets - Chan Hung Kwan
47. SP PowerAssets - Ong Sheau Chin
48. SP Services - Budiman Roesli
49. SP Services - Lawrence Lee
50. Tuas Power Generation - Priscilla Chua
51. Tuas Power Supply - Jazz Feng
52. Tuaspring - Calvin Quek
53. Tuaspring - Chin Shi En
54. YTL PowerSeraya - Jonathan Chew
55. YTL PowerSeraya - Mark New Yuzhe

The contact particulars of the DMS contacts are published on the EMC website. This information will enable market participants to know who to contact in the event of a dispute.

DISPUTE RESOLUTION WORKSHOP

On 14 March 2016, a workshop entitled "Negotiation and Dispute Resolution" was conducted by Professor Nadja Alexander of Conflict Coaching International for the DMS contacts. The workshop received a positive response from the participants. It was a good opportunity for them to learn more about resolving disputes and build rapport with their counterparts.

DISPUTES

During the period 1 January to 31 December 2015, I did not receive any notice of dispute from market participants.

CONCLUSION

I would like to thank all market participants, DMS contacts and the Market Assessment Unit for supporting the work of the DRC. I look forward to working towards further improving the dispute resolution process of NEMS.



George Lim, *Senior Counsel*
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31 March 2016