



Report by Dispute Resolution Counsellor

January to December 2017

3 May 2018

**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 to 31 December 2017.

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. Chow Kok Fong
3. Daniel John
4. Danny McFadden
5. Engelin Teh, Senior Counsel
6. Geoff Sharp
7. Associate Professor Joel Lee
8. Associate Professor Lim Lei Theng
9. Lim Tat
10. Professor Nadja Alexander
11. Dr Peter Adler
12. Robert Yu
13. 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. Best Electricity Supply – Terence Neo
2. CGNPC Solar-Biofuel Power (Singapore) – Mike Ong
3. Charis Electric – Kenneth Lee
4. CleanTech Solar Singapore Assets– Andre Nobre
5. Diamond Energy Merchants – Muhammad Asya’ari
6. Energy Market Company – Tan Yi Lin
7. Energy Supply Solutions – Jace Lee
8. Environmental Solutions (Asia) - Sivakumar Avadiar
9. ExxonMobil Asia Pacific – Lim Li Fang
10. ExxonMobil Asia Pacific – Priska
11. GlaxoSmithKline Biologicals – Chew Siou Ping
12. GlaxoSmithKline Biologicals – Wong Joon Jee
13. GreenSync Holdings – Cash van Halder
14. Green Power Asia – Daniel Ma
15. Hyflux Energy – Cindy Lim
16. Hyflux Energy – Ooi Chel-Lin

17. I Switch – Senthil Kumar
18. Just Electric – Wittman Wah
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. Nanyang Technological University - Muhammed Isa Lee Teck Kwang
25. National Environment Agency – Siew Weng Soon
26. National Environment Agency – Teresa Tan
27. Ohm Energy– Nerine Teo
28. PacificLight Energy – Teo Chin Hau
29. PacificLight Power – Linda Wen
30. Pfizer Asia Pacific – Lee Chin Hoo
31. Pfizer Asia Pacific – Tan Meng Tong
32. Power System Operator – Loh Poh Soon
33. Power System Operator – Oh Chai Choo
34. Red Dot Power – Vijay Sirse
35. Sembcorp Cogen – Agnes Low
36. Sembcorp Cogen – Ang Geok Chuan
37. Sembcorp Power – Jenny Lye
38. Sembcorp Power – Valerie Lee
39. Sembcorp Solar – Fendy Nursalim
40. Senoko Energy Supply – Eu Pui Sun
41. Senoko Energy Supply – Michelle Lim
42. Senoko Waste-to-Energy – Francis Ng
43. Senoko Waste-to-Energy – Lee Song Koi
44. Seraya Energy – Daniel Lee
45. Seraya Energy – Elaine Syn
46. Shell Eastern Petroleum – Grace Chiam
47. Shell Eastern Petroleum – Pak-Juan Koe
48. SilverCloud Energy – Lee Hock Lim
49. Singapore District Cooling - Dennis Chong
50. Singapore District Cooling - Liu Yue
51. Singapore LNG Corporation – Lam Zheng Xin
52. Singapore LNG Corporation – Vincent Lam
53. Singapore Refining Company – Ho Weng Foo
54. Singapore Refining Company - Balasubramaniam Sundararaj Mohanakkannan
57. SmartCity Energy – Teo Kok Meng
58. SP PowerAssets – Chan Hung Kwan
59. SP PowerAssets – Ong Sheau Chin
60. SP Services – Hilda Toh
61. SP Services – Ho Yin Shan
62. Sun Electric Energy Assets – Eugene Lim
63. Sun Electric Energy Assets – Matthew Peloso
64. Sunseap Energy – Lawrence Kwan
65. Sunseap Leasing – Jonathan Tai
66. Sunseap Leasing – Shawn Tan
66. Sunseap Leasing Beta – Shawn Tan
67. Tuas DBOO Trust – Victor Fong
68. Tuas DBOO Trust – Wilfred Tan
69. Tuas Power Generation – Priscilla Chua
70. Tuas Power Supply – Jazz Feng
71. Tuas Power Supply – Zhang Ai Jia

- 72. Tuaspring – Calvin Quek
- 73. Tuaspring – Chin Shi En
- 74. Union Power – Ellen Teo
- 75. Union Power – Eric Lim
- 76. YTL PowerSeraya – Jonathan Chew
- 77. YTL PowerSeraya – Ong Yi Zha

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

As part of my responsibilities, I provide training in dispute resolution for the DMS contacts.

On 20 June 2017, Professor Nadja Alexander, a mediator on the DRCP, and I conducted a half-day workshop on negotiation for the DMS contacts. The workshop was organised and supported by EMC's Market Assessment Unit.

DISPUTES

During the period 1 January to 31 December 2017, 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*
Dispute Resolution Counsellor