



**Report by
Dispute Resolution Counsellor**

January 2013 to December 2013

31 March 2014

**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 2013 to 31 December 2013.

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. Professor Lawrence Boo
2. Naresh Mahtani
3. Professor Tan Cheng Han, Senior Counsel
4. Raymond Chan
5. Giam Chin Toon, Senior Counsel
6. Dr Robert Gaitskell, Queen’s Counsel
7. Phillip Harris
8. Gregory Thorpe
9. Tan Chee Meng, Senior Counsel
10. N Sreenivasan, Senior Counsel
11. Chelva Rajah, Senior Counsel
12. Kenneth Tan, Senior Counsel
13. Ang Cheng Hock, Senior Counsel
14. Harry Elias, Senior Counsel
15. Philip Jeyaretnam, 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 - Tang Siew Wai
2. Diamond Energy - Muhammed Iqbal
3. Energy Market Company - Abdul Aziz Yatim
4. ExxonMobil - Elaine Lee
5. ExxonMobil - Teddy Yong
6. GlaxoSmithKline - Chew Siou Ping
7. GlaxoSmithKline - Wong Joon Jee
8. Green Power Asia - Daniel Ma
9. Keppel Electric - Janice Bong
10. Keppel Electric - Joelyn Wong
11. Keppel Merlimau Cogen - Sean Chan
12. Keppel Merlimau Cogen - Tini Mulyawati
13. National Environment Agency - Siew Weng Soon
14. National Environment Agency - Teresa Tan
15. PacificLight Power - Calvin Tan
16. PacificLight Power - Linda Wen
17. Pfizer - Lee Chin Hoo
18. Pfizer - Tan Meng Tong
19. Power System Operator - Agnes Tan
20. Power System Operator - Yong Thi Yen
21. Sembcorp Cogen - Ramesh Tiwari
22. Sembcorp Power - H C Chew
23. Senoko Energy - Eu Pui Sun

24. Senoko Energy - Eveline How
25. Senoko Energy - Ho Poey Ee
26. Senoko Energy - Michelle Lim
27. Seraya Energy - Daniel Lee
28. Seraya Energy - Elaine Syn
29. Singapore Oxygen Air Liquide - Lim Yong Yi
30. SP Power Assets - Chan Hung Kwan
31. SP Power Assets - Ong Sheau Chin
32. SP Services - Budiman Roesli
33. SP Services - Lawrence Lee
34. Tuas Power Generation - Philip Tan
35. Tuas Power Generation - Priscilla Chua
36. Tuas Power Supply - Jazz Feng
37. Tuas Power Supply - Zhang Ai Jia
38. YTL PowerSeraya - Jonathan Chew
39. YTL PowerSeraya - Mark New

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.

DISPUTES

During the period 1 January to 31 December 2013, I received two notices of arbitration from market participants. I met with the parties, and am happy to report that the matters have since been amicably resolved.

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
31 March 2014