

**Report by
Dispute Resolution Counsellor**

January 2016 to December 2016

31 March 2017

**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 2016 to 31 December 2016.

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. Air Liquide Singapore – Lim Yong Yi
2. Best Electricity Supply – Terence Neo
3. Buri Energy – Nerine Teo
4. Charis Electric – Kenneth Lee
5. Diamond Energy Merchants – Muhammad Romzihazad
6. ECO Special Waste Management – Ethiraj Thirumalai
7. ECO Special Waste Management – Vincent Tang
8. Energy Market Company – Lu Su Ling
9. Environmental Solutions (Asia) - Sivakumar Avadiar
10. ExxonMobil Asia Pacific – Dennis Goh
11. ExxonMobil Asia Pacific – Lim Li Fang
12. GlaxoSmithKline Biologicals – Chew Siou Ping
13. GlaxoSmithKline Biologicals – Wong Joon Jee
14. Green Power Asia – Daniel Ma
15. Hyflux Energy – Cindy Lim
16. Hyflux Energy – Ooi Chel-Lin

17. I Switch – Senthil Kumar
18. Keppel Electric – Joelyn Wong
19. Keppel Electric – Nicholas Tan
20. Keppel Merlimau Cogen – Sean Chan
21. Keppel Merlimau Cogen – Tini Mulyawati
22. LYS Genco Beta – Jonathan Chong
23. Nanyang Technological University - Muhammed Isa Lee Teck Kwang
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 – Loh Poh Soon
32. Power System Operator – Oh Chai Choo
33. Red Dot Power – Vijay Sirse
34. Sembcorp Cogen – Agnes Low
35. Sembcorp Cogen – Ang Geok Chuan
36. Sembcorp Power – Jenny Lye
37. Sembcorp Power – Valerie Lee
38. Senoko Energy – Luke Peacocke
39. Senoko Energy – Poo Siok Yin
40. Senoko Energy Supply – Eu Pui Sun
41. Senoko Energy Supply – Michelle Lim
42. Senoko Waste-to-Energy – Lee Song Koi
43. Senoko Waste-to-Energy – Lu Qi Min
44. Seraya Energy – Daniel Lee
45. Seraya Energy – Elaine Syn
46. Shell Eastern Petroleum – Grace Chiam
47. Shell Eastern Petroleum – Pak-Juan Koe
48. Singapore District Cooling - Dennis Chong
49. Singapore District Cooling - Liu Yue
50. Singapore LNG Corporation – Lam Zheng Xin
51. Singapore LNG Corporation – Vincent Lam
52. Singapore Refining Company – Aspi Vania
53. Singapore Refining Company – Lai Changli
54. Solar C&I Holdings – James Ong
55. Solar C&I Holdings – Quek Hong Soon
56. SP PowerAssets – Chan Hung Kwan
57. SP PowerAssets – Ong Sheau Chin
58. SP Services – Budiman Roesli
59. SP Services – Lawrence Lee
60. Sun Electric Energy Assets – Eugene Lim
61. Sun Electric Energy Assets – Matthew Peloso
62. Sunseap Energy – Julius Tan
63. Sunseap Leasing – Jonathan Tai
64. Sunseap Leasing – Shawn Tan
65. Tuas DBOO Trust – Chen Zhixuan
66. Tuas DBOO Trust – Lee Song Koi
67. Tuas Power Generation – Priscilla Chua
68. Tuas Power Supply – Jazz Feng
69. Tuas Power Supply – Zhang Ai Jia
70. Tuaspring – Calvin Quek

- 71. Tuaspring – Chin Shi En
- 72. YTL PowerSeraya – Jonathan Chew
- 73. 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 2016, 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 2017