

**INTERNATIONAL CENTRE FOR SETTLEMENT  
OF INVESTMENT DISPUTES**

Washington, D.C.

In the annulment proceeding between

**LG&E ENERGY CORP.  
LG&E CAPITAL CORP.  
LG&E INTERNATIONAL, INC.**

and

**THE ARGENTINE REPUBLIC**

ICSID Case No. ARB/02/1

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**ORDER OF THE SECRETARY-GENERAL TAKING NOTE OF THE  
DISCONTINUANCE OF THE PROCEEDING**

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Date: February 20, 2015

## REPRESENTATION OF THE PARTIES

Representing E.ON CLIMATE &  
RENEWABLES NORTH AMERICA,  
LLC, as assignee of E.ON U.S. LLC  
(formerly LG&E Energy LLC.), E.ON U.S.  
Capital Corp. (formerly LG&E Capital  
Corp.), and LG&E International, Inc.:

Representing the Argentine Republic:

Mr. Miguel López Forastier  
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USA

Dra. Angelina María Esther Abbona  
Procuradora del Tesoro de la Nación  
Procuración del Tesoro de la Nación  
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11112 Buenos Aires  
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Ms. Charlotte Toerber  
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353 N. Clark Street, 30th Floor  
Chicago, IL 60654  
USA

Mr. Horacio J. Ruiz Moreno  
Mitrani, Caballero, Ojam & Ruiz Moreno  
Alicia Moreau de Justo 400, 3er Piso  
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1. On January 31, 2002, the Secretary-General of the International Centre for Settlement of Investment Disputes (ICSID) registered a Request for Arbitration submitted by LG&E Energy Corp., LG&E Capital Corp., and LG&E International, Inc. (the Claimants) against the Argentine Republic (the Respondent), in accordance with Article 36(3) of the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (the ICSID Convention).
2. On November 13, 2002, a Tribunal was constituted in accordance with Article 37(2)(a) of the ICSID Convention. The Tribunal rendered its Award on July 25, 2007. On July 8, 2008, the Tribunal issued a Supplementary Decision of the Award.
3. On September 19, 2008, the Acting Secretary-General of ICSID registered an application from the Claimants for the partial annulment of the Award, in accordance with Article 52 of the ICSID Convention. On December 24, 2008, the Acting Secretary-General registered an application submitted by the Argentine Republic for the partial annulment of the Award, in accordance with Article 52 of the ICSID Convention and notified the parties of the provisional stay of enforcement of the Award. On that same date, and prior to the constitution of the Annulment Committee, the proceeding was suspended pursuant to the parties' agreement. The suspension was extended at the parties' request on several occasions.
4. On January 26, 2015, the Secretary-General received a letter from the Claimants requesting the discontinuance of the proceeding pursuant to Rule 44 of the ICSID Rules of Procedure for Arbitration Proceedings ("ICSID Arbitration Rules").
5. Rule 44 of the ICSID Arbitration Rules provides:

*If a party requests the discontinuance of the proceeding, the Tribunal, or the Secretary-General if the Tribunal has not yet been constituted, shall in an order fix a time limit within which the other party may state whether it opposes the discontinuance. If no objection is made in writing within the time limit, the other party shall be deemed to have acquiesced in the discontinuance and the Tribunal, or if appropriate the Secretary-General, shall in an order take note of the discontinuance of the proceeding. If objection is made, the proceeding shall continue.*

6. On February 2, 2015, the Secretary-General received a letter from the Argentine Republic stating that it had no objections to the discontinuance of the proceeding.

**ORDER**

7. THEREFORE, in light of the above, I hereby take note of the discontinuance of the proceeding in accordance with Rule 44 of the ICSID Arbitration Rules.

[signed]

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Meg Kinnear  
Secretary-General