

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

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STANDARD CHARTERED BANK (HONG KONG) LIMITED,	)	
	)	
	)	
Claimant,	)	
	)	ICSID Case No.: ARB/10/20
v.	)	
	)	
TANZANIA ELECTRIC SUPPLY COMPANY LIMITED,	)	
	)	
	)	
Respondent.	)	

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**Procedural Order No. 14**

1. Claimant filed a Motion to Compel Production of Documents on 29 June 2015 seeking the production of the following documents:
  - (i) All Capacity Payment<sup>1</sup> invoices (or invoices including Capacity Payments) issued by IPTL, PAP, IPTL's Liquidator or IPTL's Provisional Liquidator (as relevant) to Tanesco in the period from September 2011 to date (Tanesco produced Capacity Payment invoices for each month for the period December 2006 to September 2011 earlier in these proceedings, in response to an earlier request from SCB HK);
  - (ii) Documents evidencing the amounts paid by Tanesco to IPTL or PAP in relation to Capacity Payments in the period from August 2013 to date, including:
    - i. top-up payments made under the October 2013 Agreement, and
    - ii. payments in relation to amounts accruing after August 2013;
  - (iii) All Energy Payment invoices (or invoices including Energy Payments) issued by IPTL, PAP, IPTL's Liquidator or IPTL's Provisional Liquidator (as relevant) to Tanesco in the period from June 2007 to date (Tanesco produced Energy Payment invoices for the period up to June 2007 earlier in these proceedings, in response to an earlier request from SCB HK); and
  - (iv) Documents evidencing the amounts paid by Tanesco to IPTL or PAP in relation to Energy Payments in the period from June 2007 to date.
2. Respondent answered on 13 July 2015 objecting to the production.

3. As mentioned in Procedural Order No. 13, the Tribunal has to decide on this matter by 24 July 2015.

4. The Tribunal, having deliberated, decides that the above mentioned documents might be relevant to the Tribunal's decision and should be produced by Respondent as soon as possible, and at the latest by 3 August 2015, as decided in Procedural Order No. 13.

5. Any document that Claimant will want to produce to the Tribunal shall be delivered by 10 August 2015.

6. Both Parties are invited to make submissions on the weight to be attached to the produced documents in the course of the 19-21 August 2015 Hearing and will have an opportunity to make further observations in Post-Hearing Briefs.

**For the Tribunal:**

[Signed]

20 July 2015

Professor Donald McRae