

PCA CASE NO. 2011-17

IN THE MATTER OF AN ARBITRATION UNDER

A. THE TREATY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF BOLIVIA CONCERNING THE ENCOURAGEMENT AND RECIPROCAL PROTECTION OF INVESTMENT

-and-

B. THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE REPUBLIC OF BOLIVIA FOR THE PROMOTION AND PROTECTION OF INVESTMENTS

-and-

C. THE ARBITRATION RULES OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW (UNCITRAL)

-between-

1. GUARACACHI AMERICA, INC.
2. RURELEC PLC

(the “Claimants”)

-and-

THE PLURINATIONAL STATE OF BOLIVIA

(the “Respondent,” and together with the Claimants, the “Parties”)

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PROCEDURAL ORDER NO. 3

9 August 2012

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1. Pursuant to Procedural Order No. 2, the Tribunal granted the Respondent an extension of 45 days for the submission of its Statement of Defense and requested the Parties to negotiate in good faith such amendments to the procedural calendar as necessary to take into account the above extension without rendering it necessary to postpone the oral hearing already scheduled. The Tribunal indicated that, if no agreement was reached by the Parties within 30 days, the Tribunal would adapt the procedural calendar on the following assumptions:
  - (a) The Claimants shall not suffer any reduction in the period granted for its Reply; and
  - (b) The oral hearing will take place, as previously scheduled, from 1 to 10 April 2013.
2. By letter dated 2 August 2012, the Claimants informed the Tribunal that the Parties had failed to agree on the necessary amendments to the procedural calendar and proposed an amended procedural calendar respecting the Tribunal's directions.
3. The Tribunal has to date not received any communication from the Respondent in response to Procedural Order No. 2 or the Claimants' letter.
4. Therefore it is decided that the procedural calendar shall be as follows:
  - (a) The Respondent shall file its Statement of Defence, pursuant to the UNCITRAL Rules, on 14 September 2012;
  - (b) The Claimants shall file their Reply, in accordance with Article 24 of the UNCITRAL Rules, on 5 December 2012;
  - (c) The Respondent shall file its Rejoinder, in accordance with Article 24 of the UNCITRAL Rules, on 22 February 2013; and
  - (d) An oral hearing will be held on 1-10 April 2013 (exclusive of the weekend) at which the Parties will be able to examine experts and witnesses, and make oral submissions.
5. The co-arbitrators have approved this order, signed only by the President.

9 August 2012



José Miguel Júdece  
(President of the Tribunal)