

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”)

PROCEDURAL ORDER NO. 11
25 January 2013

A. THE CLAIMANTS' EXTENSION REQUEST

1. In accordance with Procedural Order No. 8, the Claimants had until 13 January 2013 to submit their Reply on the merits and the Respondent had until 13 February 2013 to submit its Rejoinder on the merits.
2. By e-mail dated 2 January 2013, the Claimants informed the Tribunal that the Parties had reached an agreement on a brief extension of the deadlines for the submission of the Reply and Rejoinder on the merits, until 21 January 2013 and 20 February 2013, respectively. The Claimants also noted that this extension would not affect the dates for the hearing.
3. By subsequent e-mail of the same date, the Respondent confirmed the abovementioned agreement.
4. By e-mail of the same date, the Tribunal accepted the agreement reached by the Parties regarding the extension of the deadlines for the submission of the Reply and the Rejoinder on the merits.

B. LETTERS FROM THE PARTIES RELATED TO THE TEINVER v. ARGENTINA CASE

5. By letter dated 2 January 2013, the Claimants submitted a copy of the award on jurisdiction in the case of *Teinver v. Argentina*¹ and commented on several jurisdictional issues in the award which they considered relevant to the present arbitration.
6. By letter dated 14 January 2013, the Respondent responded to the Claimants' comments on the *Teinver* case and submitted a copy of the Spanish version of the award and the dissenting opinion of Dr. Kamal Hossain.

C. DECISION

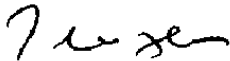
7. Having accepted the abovementioned agreement of the Parties, the procedural calendar is hereby modified so as to provide in relevant part as follows:
 - a) On **21 January 2013**, the Claimants shall file Reply on the merits; and

¹ *Teinver S.A., Transportes de Cercanías S.A. and Autobuses Urbanos del Sur S.A. v. The Argentine Republic* (ICSID Case No. ARB/90/1), Decision on Jurisdiction, 21 December 2012 (Buergethal, Alvarez, Hossain).

- b) On **20 February 2013**, the Respondent shall file a Rejoinder on the merits.
8. The dates for the exchange of each side's witness notifications (14 March 2013) and the dates for the hearings (from 1 to 10 April 2013) are maintained as set forth in the calendar established in prior Procedural Orders.
 9. Despite the absence of prior authorization by the Tribunal of further written submissions on jurisdiction, the Tribunal nonetheless decides to admit the letters submitted by the Parties regarding the decision in the case of *Teinver v. Argentina*. These letters shall therefore be treated as part of the Parties' written submissions on jurisdiction. Should the Parties consider that subsequent developments require that they be afforded the opportunity to make further written submissions, they are invited to apply to the Tribunal for permission to make such further submissions.

The co-arbitrators have approved this order, signed only by the President.

25 January 2013



José Miguel Júdece
(President of the Tribunal)