

**INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES**

**Azienda Elettrica Ticinese**

**v.**

**Federal Republic of Germany**

**(ICSID Case No. ARB/23/47)**

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**PROCEDURAL ORDER No. 7**  
**On the Procedural Calendar**

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***Members of the Tribunal***

Sir Christopher Greenwood GBE, CMG, KC, President of the Tribunal  
Mr. John Beechey CBE, Arbitrator  
Prof. Campbell McLachlan KC, Arbitrator

***Secretary of the Tribunal***

Ms. Anna Holloway

21 November 2025

1. The procedural calendar was set by the Tribunal in Procedural Order No. 2, dated 10 May 2025, and updated in Procedural Order No. 5, dated 2 August 2025, and Procedural Order No. 6, dated 19 October 2025.
2. Pursuant to the procedural calendar, on Monday 2 November 2025, the Tribunal and the Parties held a Case Management Conference (“CMC”), at which certain items set forth in the Tribunal’s agenda, circulated on Friday 31 October 31 2025, were discussed.
3. By the Tribunal’s directions of 7 November 2025, and the Parties’ agreement of 17 November 2025, which the Tribunal hereby approves, the following procedural points have been confirmed:
  - a. Neither Party will be raising challenges with respect to the other Party’s document production or related privilege log.
  - b. The Parties will provide an agreed chronology/ statement of facts to the Tribunal by 22 June 2026. The agreed chronology shall contain bare statements of fact, without quoting passages from documents. To the extent there are points of disagreement, the document should indicate only what that disagreement is (at a high level, and without including detailed argumentation), and provide references to the relevant passages in each party’s pleading where the parties’ respective positions on those facts are set forth. Without imposing an arbitrary page limit, the Tribunal encourages the parties to bear in mind that the utility of agreed chronologies is greatest where the focus is on material facts; the Tribunal would not expect a document to exceed 15 pages (and it may well be shorter). The agreed chronology/statement of facts shall be produced in accordance with the following procedure:
    - i. One week after Claimant’s Reply on the Merits and Counter-Memorial on Jurisdiction, Claimant will provide a draft chronology / statement of facts, using the template attached as **Annex B**, to Respondent only (i.e., without copying the Tribunal or ICSID).
    - ii. One week after Respondent’s Rejoinder on the Merits and Reply on Jurisdiction, the Respondent will submit an updated / revised version of Claimant’s draft to Claimant only.
    - iii. Thereafter, the parties will consult in order to reach agreement on the joint document to be provided to the Tribunal by 22 June 2026 (i.e. four weeks after the preceding step).
  - c. The Parties will submit an agreed list of issues for determination by 4 September 2026. The Tribunal is again not minded to impose a page limit, but emphasizes that the list should be concise, should not contain argumentation, and it would not expect the document to exceed 5 to 10 pages. To the extent that the parties are unable to agree on the list of issues for determination, each party may submit instead its own respective list of issues. (In that scenario, it would be helpful if the two lists could be shown in a single document, with columns, so that the Tribunal can see what issues for determination are agreed, and what are not.) the agreed list of issues shall be produced in accordance with the following

procedure:

- i. Four weeks after Claimant's Rejoinder on Jurisdiction, the Parties will simultaneously exchange their respective list of issues for determination, using the template attached as **Annex C**.
- ii. The Parties will then consult with a view to consolidating the two lists into one, to be provided to the Tribunal by 4 September 2026. For this, they will endeavor, *inter alia*, to reach agreement on the issues to be determined by the Tribunal and on the wording of such issues of disagreement.
- d. As regards quantum issues, the existing pleading structure and sequencing will be maintained.

4. For the sake of good order, the updated procedural calendar is set forth in full in Annex A to this order.

On behalf of the Tribunal,

[signed]

Sir Christopher Greenwood  
President of the Tribunal

Date: 21 November 2025

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### ANNEX A (PROCEDURAL CALENDAR)

Description	By	Days	Date
First Session	All		<b>Friday 19 April 2024</b>
Memorial	Claimant	98	Friday 26 July 2024
[Date for scheduling hearing]	All		Approx. Friday 31 January 2025
Counter-Memorial on the Merits and Memorial on Jurisdiction	Respondent	243	Wednesday 26 March 2025
Requests for Production of Documents	Claimant and Respondent	28	Wednesday 23 April 2025
Production of Non-Objected Documents and Objections	Claimant and Respondent	28	Wednesday 21 May 2025
Responses to Objections - Sent to Tribunal	Claimant and Respondent	14	Wednesday 4 June 2025
Letter & Document Production Application to the Tribunal	Claimant and Respondent	7	Wednesday 11 June 2025
Decision on Requests	Tribunal		Saturday 2 August 2025
Production as Ordered (and submission of privilege log to the Tribunal)	Claimant and Respondent		Friday 19 September 2025
CMC No. 1	All		Monday 3 November 2025, commencing at 9am EST / 2pm GMT
Reply on the Merits and Counter-Memorial on Jurisdiction	Claimant	123	Friday 16 January 2026
Rejoinder on the Merits and Reply on Jurisdiction	Respondent	121	Monday 18 May 2026
Draft chronology / statement of facts	Claimant and Respondent	35	Monday, 22 June 2026
Rejoinder on Jurisdiction	Claimant	56	Monday 13 July 2026
Notification of Witnesses and Experts	Claimant and Respondent	14	Monday 27 July 2026
Notification of Witnesses and Experts not called by the Parties	Tribunal	23	Wednesday 19 August 2026

Description	By	Days	Date
CMC No. 2* (incl. Hearing Organization )	All		Friday 21 August 2026, commencing at 9am EST / 2pm BST
Agreed list of issues for determination	Claimant and Respondent		Friday 4 September 2026
Hearing Commencement	All		Monday 21 September 2026 (in London)
Hearing Ends	All		Friday 25 September 2026 (with Monday 28 September to Tuesday 29 September 2026 held in reserve).
Corrections to Hearing Transcripts	Claimant and Respondent		TBD
<i>[Simultaneous Post-Hearing Briefs]</i>	<i>Claimant and Respondent</i>		TBD
<i>[Simultaneous Reply Post-Hearing Briefs]</i>	<i>Claimant and Respondent</i>		TBD
Simultaneous Costs Submissions	Claimant and Respondent		TBD
Award	Tribunal		TBD

\* per AR 31, additional CMCS can be scheduled in the procedural calendar

## ANNEX B

### CHRONOLOGY / STATEMENT OF FACTS

Date (DD Mon YY)	Factual allegation	By	Agreed?	Ref. to Claimant's pleadings (and identification of disagreement, if any)	Ref. to Respondent's pleadings (and identification of disagreement, if any)

## ANNEX C

### ISSUES FOR DETERMINATION

Nº	Issue for determination	Agreed or proposal by?	Ref. to C's pleadings where issue to be determined is discussed	Ref. to R's pleadings where issue to be determined is discussed