

**THE INTERNATIONAL CENTRE FOR THE SETTLEMENT OF INVESTMENT
DISPUTES
WASHINGTON, D.C.**

ELECTRABEL S.A.
(Claimant)

v.

REPUBLIC OF HUNGARY
(Respondent)

(ICSID Case No ARB/07/19)

Procedural Order No. 2

Dated: 10 March 2009

1. The Tribunal confirms receipt of the Claimant's Amended Memorial of 3 February 2009. It also confirms receipt of the Parties' letters dated 12 February (two), 13 February and 17 February 2009.

2. As regards the amended procedural timetable (modifying and supplementing Procedural Order No 1 of 19 November 2008), in the light of the Tribunal's subsequent order of 3 February 2009 (fixing the oral hearing in this case in Washington, D.C., from 8 February to 19 February 2010), the Tribunal requests the Parties to re-visit their suggested timetable set out in their respective letters dated 1 December 2008 and to advance, if possible, an agreed timetable consistent with the main hearing date as soon as practicable - but no later than 31 March 2009.

3. As regards the intervention of the European Commission in these proceedings pursuant to the Tribunal's Procedural Order No 1, it remains the Tribunal's current intent that the Respondent should first serve its Counter-Memorial before any intervention by the European Commission. Subject to further consultation with the Parties, the Tribunal is also currently minded that the Commission should make its intervention with knowledge of the Parties' written submissions, namely the Memorial, the Amended Memorial and the Counter-Memorial (subject to any required restrictions or redactions based on confidentiality or commercial or other secrecy, as directed by the Tribunal).

4. It would be helpful to arrange, as earlier intimated by the Tribunal, a short procedural meeting by telephone conference call after the Tribunal's receipt of the Respondent's Counter-Memorial, say in or about mid-April 2009. (The Tribunal anticipates that the Respondent's Counter-Memorial will be submitted before April 2009). The Parties are invited to make known their legal representatives' availability for such a meeting during this period as soon as practicable - but no later than 31 March 2009.

[Signed]

V.V.Veeder
President of the Tribunal