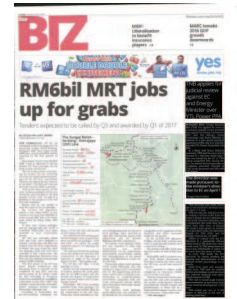


Headline	TNB applies for judicial review against EC and Energy Minister		
MediaTitle	The Star		
Date	05 Jul 2016	Language	English
Circulation	338,368	Readership	1,032,000
Section	StarBiz	Page No	1
ArticleSize	126 cm ²	Journalist	N/A
PR Value	RM 9,072		



TNB applies for judicial review against EC and Energy Minister over YTL Power PPA

PETALING JAYA: Tenaga Nasional Bhd (TNB) has applied for leave to commence judicial review proceedings against the Energy Commission (EC) and the Energy, Green Technology and Water Minister in relation to a new power purchase agreement (PPA) that it is negotiating with YTL Power Generation Sdn Bhd.

In a filing with Bursa Malaysia yesterday, TNB said its move was in relation to a direction dated April 7 that was issued by the EC to TNB, which compelled TNB, among others, "to remove the incorporation of conditions precedent required by TNB" in the proposed new PPA with YTL Power.

"The direction was made pursuant to the minister's direction to EC on April 1," it said.

TNB through the judicial review, is seeking a written order from the court to quash the EC's direction as well as the minister's direction, and a declaration that both their directions were ultra vires, or beyond the issuer's legal power or authority, as provided under the Electricity Supply Act 1990 (ESA) and the Energy Commission Act 2001.

Failure to comply with the EC's direction is a punishable offence under Section 50E of the ESA, which could result in TNB being fined not more than RM200,000 or jailed for no more than two years, or both.

As such, TNB wants the EC's direction be stayed pending the hearing and determination of the judicial review proceedings on its merits.

Aside from legal and management costs, TNB said the judicial review proceedings would not have any material financial and operational impacts on TNB.

TNB said it would make further announcements as and when there is any material development to the case.

TNB closed two sen or 0.14% higher to RM14.06 at the end of trading yesterday.

The direction was made pursuant to the minister's direction to EC on April 1

Tenaga Nasional Bhd