

# PERMANENT COURT OF ARBITRATION



Secretaria de Comercio y Fomento Industrial  
Dirección General de Inversión Extranjera  
Avenida Insurgentes 1940  
Col. La Florida  
01030 Mexico, D.F.

BY COURIER

October 18, 2002

AN: 41,712  
DIRECT DIAL: +31 70 302 4260  
E-MAIL: BUREAU@PCA-CPA.ORG

Dear Sir,

RE: PCA CASE N° AA166  
INVESTORS (U.S.A.) V. GOVERNMENT OF MEXICO

The International Bureau of the Permanent Court of Arbitration (PCA) has received a letter dated April 24, 2002, from PAC Peyton & Connell, counsel representing a group of United States investors (Claimants) requesting that the Secretary-General of the PCA designate an Appointing Authority for the appointment of a second arbitrator on behalf of the Government of Mexico in the above-referenced matter, in accordance with the UNCITRAL Arbitration Rules and pursuant to Chapter 11 of the North American Free Trade Treaty. By letters dated August 21 and October 7, 2002, Claimant provided further information requested by the PCA. Copies of the above correspondence are included herewith for your information.

When asked to appoint a second arbitrator under the UNCITRAL Arbitration Rules, as long as the Secretary-General is persuaded, on the basis of a prima facie screening of the documentation submitted by the part making the request, that he is competent to designate the Appointing Authority, he shall proceed immediately with the designation. Your comments with respect to Claimants' request are invited by **November 8, 2002**.

Please do not hesitate to contact me at the number set forth above, or my colleague Brooks Daly, Special Counsel (ext. 4289), should you have any questions regarding this letter.

Yours sincerely,



Belinda Macmahon  
Assistant Legal Counsel

- Encl.: (a) Claimants' letter dated April 24, 2002, with attachments;  
(b) Letter from the PCA to Claimants dated May 27, 2002;  
(c) Claimants' letter dated August 21, 2002; and  
(d) Claimants' letter dated October 7, 2002, with attachments.

CC: H.E. Mr. Santiago Oñate Laborde  
Ambassador Extraordinary & Plenipotentiary  
Mexican Embassy  
Nassauplein 17  
The Hague, 2585 EB  
(by registered mail, without attachments to enclosure (d))

Mr. Denis John Peyton  
(by fax, without enclosures)