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The PTT logo at a petrol station on Vibhavadi Rangsit Road. PATIPAT JANTHONG

Attorney-general asks for PTT pipeline delay

Seeking to prolong period until handover

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The Attorney-General's Office has asked the Supreme Administrative Court to push back the legal execution period for the return of PTT's natural gas pipeline, which lapsed in December last year amid a legal dispute, says a Finance Ministry source familiar with the matter.

Although the 10-year legal period for the gas transmission pipeline already expired, the Act on Establishment of Administrative Courts and Administrative Court Procedure gives the court a mandate to prolong the period if necessary, the source said.

Without the court order, there is no legal right to demand PTT return the additional parts to the Treasury Department, the source said.

The Attorney-General's Office told the court that the reason for the extension is the court's verdict is unsettled and the period deserves to be extended for the sake

of the nation's interests, the source said.

In 2007, the Supreme Administrative Court ordered the national energy firm to return the gas pipeline and some land to the government on the grounds that they were national assets.

After the court's ruling, the cabinet on Dec 18, 2007 split the pipelines and structures used by the conglomerate into two categories. The first included assets worth 32 billion baht owned by the firm and the second comprised assets deemed belonging to the state.

To comply with the cabinet's resolution, PTT returned pipelines worth some 16.2 billion baht. These included a pipeline running from Bang Pakong to Wang Noi, another from the Thai-Myanmar border to Ratchaburi, one linking Ratchaburi to Wang Noi, and several other small structures.

The Office of the Ombudsman in 2016 lodged a complaint with the Administrative Court, demanding PTT return additional gas pipelines — largely located offshore — to the state following its interpretation of the 2007 Supreme Administrative Court ruling that mandates the gas pipeline cannot be divided into parts, as some parts cannot transmit natural gas.

This would require PTT to hand over the entire pipeline network to the Treasury Department, from which the energy firm can rent the network.

After the ombudsman's petition and scepticism expressed by former finance minister Thirachai Phuvanattaranubala and former senator Rosana Tositrakul that PTT had not delivered all the gas transmission pipelines to the state yet, the Finance Ministry assigned Prapas Kong-led, now director-general of the Public Debt Management Office, to study the issue. A working committee later proposed the ministry ask the cabinet to request the Attorney-General's Office file a petition with the court.

The cabinet in February resolved to task the Attorney-General's Office with bringing the case to court to force the return of the pipelines.

The source said that if the Supreme Administrative Court agreed to extend the legal execution period, the court must determine whether both onshore and offshore gas pipelines that have not been handed over to the Treasury Department are the state's assets under the recent court ruling.