

**PENYELESAIAN SENGKETA PERUBAHAN TARIF GAS BUMI  
(STUDI KASUS BPH MIGAS DENGAN CONOCOPHILIPS (GRISSIK) LTD)**

Oleh:

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**INTISARI**

Penelitian “Penyelesaian Sengketa Perubahan Tarif Gas Bumi (Studi Kasus BPH Migas dengan ConocoPhilips (Grissik) Ltd.) bertujuan untuk mengetahui proses terjadinya perkara kasus antara BPH Migas dan ConocoPhilips (Grissik) Ltd., mengenai tarif serta mengetahui proses penyelesaian sengketa baik di dalam pengadilan (litigasi) maupun diluar pengadilan (nonlitigasi).

Penelitian bersifat empiris, dilakukan melalui kepustakaan bersumber pada penelitian di lapangan yang dilakukan dengan cara wawancara terhadap narasumber yang kompeten, yaitu bagian hukum dan bagian gas bumi dari BPH Migas serta dari bagian hukum ConocoPhilips (Grissik) Ltd.

Hasil Penelitian adalah bermula adanya usulan mengenai pentapan tarif oleh PT. Transportasi Gas Indonesia kepada BPH Migas. Setelah dikeluarkannya penetapan tarif gas bumi tersebut, ConocoPhilips (Grissik) Ltd., merasa dirugikan dan mengajukan gugatan karena ingin mengetahui kewenangan BPH Migas dalam membuat ketetapan mengenai penetapan tarif gas bumi melalui pipa dan meminta BPH Migas mencabut keputusan penetapan tarif gas bumi melalui pipa tersebut. Penyelesaian sengketa antara kedua belah pihak melalui jalur Pengadilan Tata Usaha Negara dimana dalam putusan Pengadilan Tata Usaha Negara dimenangkan oleh ConocoPhilips lalu BPH Migas Mengajukan Banding ke Pengadilan Tinggi Tata Usaha Negara dimana dalam memori banding berisi penolakan BPH Migas terhadap hasil keputusan Pengadilan Tata Usaha Negara. Dalam putusan Pengadilan Tinggi Tata Usaha Negara. Hasil dari putusan tersebut memenangkan pihak dari BPH Migas. Setelah itu ConocoPhilips mengajukan kasasi ke Mahkamah Agung. Hakim Mahkamah Agung berpendapat bahwa alasan-alasan tersebut tidak dapat dibenarkan, oleh karena putusan Judex Factie sudah benar karena Keputusan Tata Usaha Negara yang bersifat umum dan tidak memiliki ciri individual, konkrit dan final. Hasil putusan Mahkamah Agung memutuskan bahwa membatalkan permohonan dari ConocoPhilips dan dimenangkan oleh pihak BPH Migas selaku tergugat.

**Kata Kunci :** Penyelesaian Sengketa Tarif Gas Bumi, Pengadilan Tata Usaha Negara Mahkamah Agung.

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**THE SETTLEMENT OF DISPUTES OVER  
TARIFF CHANGE NATULAR GAS  
(CASE STUDY BPH MIGAS WITH CONOCOPHILLIPS (GRISSIK) LTD)**

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**ABSTRACT**

"The settlement of disputes over tariff change Natular Gas" Research (Case Study BPH Migas with ConocoPhillips (Grissik) Ltd.) aims to know the process of the case occurrence between the BPH Migas and ConocoPhillips (Grissik) Ltd., about the tariff and know the process of dispute settlement both in judgment (litigation) or outside the court (nonlitigasi).

This research is the empirical, done through literature sourced on research in the field is done with the way the interview against an expert competent, which is part of the law and the gas from the BPH Migas and from the law of ConocoPhillips (Grissik) Ltd.

The results of this research are commenced the existence of tariff Decision proposed by PT Indonesia Gas transportation to BPH Migas. After the issuance of a gas tariff of it, ConocoPhillips (Grissik) Ltd., feel wronged and filed a lawsuit because they want to know the BPH Migas authority in making the ordinance of tariff gas through the tube and ask BPH Migas revoke the decision of the tariff gas through the tube allegations. The settlement of the dispute between the two sides through the Administrative Court where in the decision of the Court of Jurisprudence won by ConocoPhillips and BPH Migas filed an appeal to the High Court in state where in memory appeal contains the rejection of BPH Migas against the results of the decision of the Court of Jurisprudence. In the decision of the High Court in state. The result of the verdict had won the party from the BPH Migas. After that ConocoPhillips proposed cassation to the Supreme Court. The Judges of the Supreme Court holds that the reasons could not be justified because of the decision of the Judex Factie is correct because the decision in state of general and do not have individual characteristics, concrete and final. The results of the decision of the Supreme Court decided that cancel the petition from ConocoPhillips and won by the BPH Migas as second Defendant Decision.

**Keywords** : The settlement of disputes over the tariff Gas, Administrative Court of the Supreme Court

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