

**Before the Hon'ble Maharashtra Electricity Regulatory Commission,
Mumbai**

Filing No.

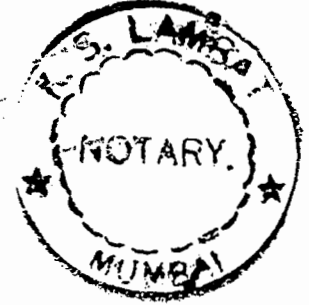
Case No.

In the matter of

"Petition for review of Case no. 40 of 2007 on approval of Power Purchase Agreement between MSEDCL and Lanco Energy Pvt. Ltd. (LEPL) and the requirement of a public hearing for considering the Review Petition"

And in the matter of Applicant

Maharashtra State Electricity Distribution Company Limited,
Prakashgad, Bandra (E),
Mumbai



I, Arijit K. Ghosh, son of Shri. P.L.Ghosh, aged 59 years, having my office at 6th Floor, Prakashgad, Anant Kanekar Marg, Bandra (East), Mumbai-400051 do solemnly affirm and say as follows:


1. I am the Director (Finance) of Maharashtra State Electricity Distribution Company Ltd., the applicant in the above matter and am duly authorized by the said applicant to make this affidavit.
2. The statements made in the enclosed submission, in the matter of **"Petition for review of Case no. 40 of 2007"**, now shown to me are based on the information received from the concerned officers of MSEDCL and I believe them to be true.

I solemnly affirm at Mumbai on this 8th February 08 that the contents of the above affidavit are true to my knowledge, no part of it is false and nothing material has been concealed there from.

PETITIONER

Director (Finance)

MSEDCL



IDENTIFIED BEFORE ME

Before the Maharashtra Electricity Regulatory Commission Mumbai

In the matter of

Petition for review of Case no 40 of 2006 in relation to the approval of Power Purchase Agreement entered into between MSEDCL and Lanco Energy Pvt. Ltd. (LEPL) and public hearing thereof for considering the Review Petition

And

In the matter of

Maharashtra State Electricity Distribution Company Limited,
Prakashgad, Bandra (E),
Mumbai

Applicant

And

Lanco Energy Pvt. Ltd. (LEPL)
Plot No-229
Udyog Vihar
Phase-I, Gurgaon-122016
Haryana

Respondent



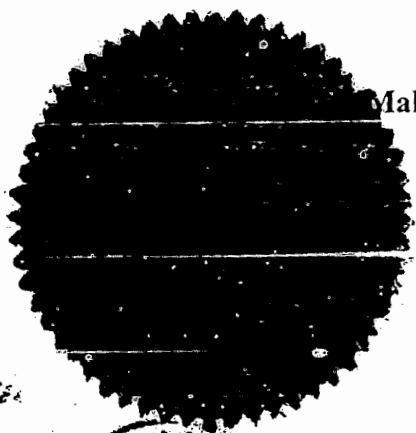
The Petitioner named above respectfully showeth under:

1. The Petitioner, MSEDCL, is a company incorporated under the provisions of the Indian Companies Act, 1956, with its registered office at Prakashgad, Bandra (E) Mumbai is a deemed licensee under the Section 14 of the Electricity Act'2003 for distribution of electricity in the state of Maharashtra.
2. Maharashtra Electricity Regulatory Commission (MERC) has issued order on 26th June, 2007 on the Approval of Power Purchase Agreement of MSEDCL with Lanco Energy Pvt. Ltd (LEPL)
3. A petition was filed for review as provided under Section 94 of the Electricity Act, 2003 ("EA 2003") and Regulation 85 of the MERC (Conduct of Business) Regulations, 2004 seeking review and modification of the Order dated 26th June, 2007.
4. In addition to the Review Petition, the Petitioner has submitted it's written submissions to demonstrate the maintainability of the earlier Review Petition filed by the Petitioner.
5. The Honb'le Commission has conducted a hearing to determine the maintainability of the Review Petition on 29th, January, 2008.
6. During the course of hearing of the Review Petition on 29th, January, 2008, the Honb'le Commission enquired about the need for conducting a public hearing for considering the Review Petition on merit.
7. Petitioner is of the view and belief that there is no objection to conduct Public Hearing if commission deems fit for the same.

(Handwritten Signature)

DEPONENT

Maharashtra State Electricity Distribution
Company Limited



(Handwritten Signature)
A. N. Pande

B.A. LL.B

Advocate in Court

Lawyer's Chamber, 2nd Floor

'BHASKAR' Building,

K. Murg, S. SARDAR

ADVOCATE

Bha. Kar Building,

1st Floor, Advocate Sar Room,

Bandra Court, Mumbai - 51



ATTESTED BY

(Handwritten Signature)
K. S. LAMB

M. C. C. L.

ADVOCATE & NOTARY

- 8 FEB 2008