



THE NIGERIAN ELECTRICITY REGULATORY COMMISSION

HOLDEN AT ABUJA.

CASE NO: NERC _____

IN A MATTER OF PETITION AGAINST
WRONGFUL INVOICING OF THE GOVERNMENT OF LAGOS STATE
AND
BREACH OF THE BARGE POWER PURCHASE AGREEMENT
FOR ELECTRICITY GENERATING FACILITIES IN LAGOS NIGERIA.

BETWEEN

PETITIONER: LAGOS STATE GOVERNMENT OF NIGERIA.

AND

RESPONDENTS:

1. POWER HOLDING COMPANY OF NIGERIA PLC.
2. IKEJA ELECTRICITY DISTRIBUTION COMPANY PLC
3. EKO ELECTRICITY DISTRIBUTION COMPANY PLC
4. TRANSMISSION COMPANY OF NIGERIA PLC

AFFIDAVIT IN SUPPORT OF PETITION

I, Mr. Biodun Ogunleye, adult, male, the Managing Director of PowerCap Limited, of B39, Eko Court, Kofo Abayomi Street, Victoria Island, Lagos, do hereby make an oath and state as follows:

1. I am a consultant to the petitioner in this matter.
2. I have the authority of the Petitioner to make the statement in support of this petition.
3. The statement made in all the paragraphs of the petition and the witness statement herein is true to the best of my knowledge.

4. I make this affidavit in good faith and in accordance with the Oaths Act.

A O Delafuyet
DEPONENT.

Sworn to this 23rd day of June 2008.

