

## Current Report No. 3/2013

Date of preparation: 15 January 2013

### Subject: Execution of a Significant Agreement with ENEA Wytwarzanie S.A.

General legal basis: Article 56.1.2 of the Act on Public Offering – current and periodic information

#### Content:

The Management Board of LW Bogdanka S.A. with registered office in Bogdanka (the “Company”) hereby announces that on **15 January 2013** it concluded an Annual Agreement for the Supply of Power Coal in 2013 (the “Annual Agreement”) with ENEA Wytwarzanie S.A. with registered office in Świerże Górne, 26-900 Kozienice 1, which is attached as Appendix 4 to Long-Term Agreement No. UW/LW/01/2010 referred to in Current Report No. 5/2010 of 5 March 2010, No. 44/2010 of 20 December 2010, and No. 31/2011 of 27 December 2011 (the “Long-Term Agreement”).

The Annual Agreement is valid from **1 January 2013 to 31 December 2013**, and concerns coal supplies for power units of ENEA Wytwarzanie S.A. in Kozienice, in compliance with Long-Term Agreement No. UW/LW/01/2010. The value of the Annual Agreement concerning the supplies in 2013, at current prices, amounts to **PLN 755 million net**. As a result of executing the Annual Agreement, the value of the entire Long-Term Agreement currently amounts to **PLN 11 494 million net**, which is **0,26 % less** than specified in Current Report No. 31/2011 of 27 December 2011.

The Annual Agreement, which is attached as Appendix 4 to Long-Term Agreement No. UW/LW/01/2010, provides for the following liquidated damages: a Party to the Annual Agreement failing to collect or supply the contracted volume of coal on quarterly basis will pay liquidated damages to the other Party in the amount of 20% of the value of coal which has not been collected or supplied.

Other terms of the Annual Agreement do not differ from the market standards applied in agreements of this type.

The criterion for deeming the Agreement material is that it exceeds 10% of the value of the Company shareholders' equity.

Legal basis for submitting the report: Article 5.1.3 of the Regulation of the Minister of Finance on the Stock Exchange.