

## Current Report No. 38/2012

Date of preparation: 29 June 2012

**Subject: Conclusion of an Annex to the Significant Agreement with ENERGA Elektrownie Ostrołęka S.A. (annex concluded with the Agreement assignee – Elektrownia Ostrołęka S.A.)**

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

### Content:

The Management Board of Lubelski Węgiel Bogdanka S.A. with registered office in Bogdanka (the “Company”) hereby announces that on 29 June 2012 it concluded with Elektrownia Ostrołęka S.A. with registered office in Ostrołęka at ul. Elektryczna 5, the assignee of the said Agreement and the entity appointed to perform the construction of the power unit, an Annex to the Long-Term Agreement on the sale of power coal No. 1/LW/D/2010 (the “Agreement”), concluded earlier by and between the Company and Energa Elektrownie Ostrołęka S.A. with registered office in Ostrołęka at ul. Elektryczna 5 (the Agreement assignor) presented in Current Report No. 40/2010.

The Agreement concerns the supply of power coal for the purposes of a new power unit built in Ostrołęka – Unit C with the power of approx. 1000MW (the “Unit”).

The Annex changes a condition of the Agreement termination. In view of the above, the Agreement can be terminated by the Company if by 31 December 2013 (formerly 30 June 2012) the following conditions are not fulfilled:

- (a) an Agreement on designing, ordering and carrying out the planned Block is concluded;
- (b) the financing process is completed.

Other terms of the Agreement remain unchanged.

The criterion for deeming the concluded Agreement to be significant 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