

**CURRENT REPORT FILED WITH THE
POLISH FINANCIAL SUPERVISION AUTHORITY**

DATE: October 20th 2020

Subject: [Receipt of call for payment of guaranteed amount paid out by KUKE to performance bond beneficiary JSC VILNIAUS KOGENERACINĖ JĖGAINĖ \[Current Report No. 57/2020\]](#)

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Further to Current Report No. 53/2020 of October 5th 2020, announcing submission by RAFAKO S.A. w restrukturyzacji (in restructuring) (the “**Company**”) of a notice of impossibility/termination under the conditional contract to construct a biomass-fired co-generation unit consisting of boilers with fluidised beds, biomass storage and feeder systems, and a flue gas treatment system, as part of a project to construct a new CHP plant in Vilnius, Lithuania, (the “**Contract**”), as well as Current Report No. 54/2020 of October 6th 2020, announcing immediate withdrawal from the Contract by JSC VILNIAUS KOGENERACINĖ JĖGAINĖ (the “**Principal**”), and Current Report No. 55/2020 of October 8th 2020, announcing submission by the Principal to KUKE S.A. and Generali T.U. S.A. of a call on performance bonds, the Management Board of the Company announces that on October 20th 2020 the Company received from KUKE S.A. a pre-litigation call for payment of the guaranteed amount of EUR 11,972,000.00 (eleven million, nine hundred and seventy-two thousand euro) under Master Agreement No. IN/GU/1/2015 in connection with KUKE S.A. having paid out to the Principal as the performance bond beneficiary that same guaranteed amount of EUR 11,972,000.00 (eleven million, nine hundred and seventy-two thousand euro).

In the opinion of the Company’s Management Board, the claim made by KUKE S.A. is – by operation of law – a claim covered by the arrangement as part of the simplified restructuring procedure opened with respect to the Company.

Legal basis:

Article 17(1) of the Market Abuse Regulation – inside information

Mariusz Zawisza, President of the Management Board

Ewa Porzucek, Vice President of the Management Board