

**CURRENT REPORT FILED WITH THE POLISH FINANCIAL SUPERVISION
AUTHORITY IN WARSAW****DATE: September 28th 2021****Subject: Withdrawal from mediation with Nowe Jaworzno Grupa TAURON Sp. z o.o. [Current Report No. 37/2021]****Text of the report:**

The Management Board of RAFAKO S.A. of Racibórz (the "Company") announces that on September 28th 2021 the Company and its wholly-owned subsidiary E003B7 sp. z o.o. (the "Subsidiary") submitted to the Arbitration Court at the Office of the General Counsel to the Republic of Poland a statement of intent to terminate the ongoing mediation with Nowe Jaworzno Grupa TAURON sp. z o.o. concerning the contract for the construction of a 910 MW supercritical power generation unit at the Jaworzno III Power Plant – Power Plant II (the "Contract") and to withdraw from the related mediation agreement, requesting that the mediation be terminated.

The decision reflects the fact that, given how the mediation has proceeded to date and what positions and expectations have been raised by the Parties to the Contract, the Company and the Subsidiary can see no chance of concluding the mediation by reaching a settlement.

Legal basis: Article 17(1) of the Market Abuse Regulation – inside information.

Radosław Domagalski-Łabędzki, President of the Management Board
Maciej Stańczuk, Vice President of the Management Board