

CERTIFIED TRANSLATION FROM THE POLISH LANGUAGE

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The following text includes all changes to the entity's concession, however, does not replace previously issued decisions, it is only a material and technical activity of "gathering" all modifications to a given concession for the purpose of fulfilling the provisions of Article 43b (4)(3) of the Energy Law Act.

I grant the entrepreneur:

Koliber Energy Trading
Spółka z ograniczoną odpowiedzialnością
with its registered office
in Warsaw
Al. Róż 6/13, 00-556 Warsaw

THE CONCESSION

No. OPG/407/69166/W/DRG/2021/ZŁ

for the trade of gaseous fuels

for the period from November 19, 2021 to November 19, 2031

On the following terms and conditions:

1. Subject and scope of activity

The subject of the activity covered by this concession is an economic activity consisting in the trade of gaseous fuels for the needs of customers located in the territory of the Republic of Poland without the use of technical infrastructure operated by the Concessionaire.

2. Terms and conditions

2.1 General conditions

- 2.1.1 The Concessionaire is obliged to ensure high-quality services, reliability of gaseous fuel supply, while maintaining the lowest possible cost.
- 2.1.2 The Concessionaire is obliged to conduct activities in a way that does not pose a threat to human life or health and does not expose to material damage.
- 2.1.3 The Concessionaire is obliged to comply with applicable regulations, including regulations on environmental protection and ecological safety, as well as executive regulations issued on their basis.

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- 2.1.4 The Concessionaire is obliged to maintain or guarantee the possibility of obtaining funds or property to satisfy claims of third parties that may arise as a result of improper conduct of activities covered by the concession or damage to the environment.
- 2.1.5 The Concessionaire may not sell gaseous fuels to entrepreneurs conducting business activity in the field of storage, liquefaction of natural gas and regasification of liquefied natural gas, transmission, distribution or trade in gaseous fuels, if they do not hold a concession, in cases where such a concession is required by the provisions of the Energy Law.
- 2.1.6 The Concessionaire is obliged, in accordance with Article 34(1) of the Energy Law Act, to pay an annual fee to the state budget in the manner and in the amount specified in the regulations issued on the basis of Article 34 of this Act.

2.2. Special conditions.

- 2.2.1 The Concessionaire is obliged to respect the legally protected interests of recipients, including by providing final recipients with full, reliable and exhaustive information regarding their rights and obligations. The Concessionaire may not use practices that mislead recipients as to their rights or obligations. In particular, the provisions of contracts concluded with customers should be legible and understandable, and provisions other than those related to the supply of gaseous should be separately and clearly marked fuels (Article 5 of the Energy Law Act). The contract should clearly specify the costs resulting from provisions other than those relating to the provision of services associated with the supply of gaseous fuels.
- 2.2.2 The Concessionaire may not subsidize activities not covered by this concession from the revenue obtained from the activities covered by this concession.

2.3 Reporting and providing information.

- 2.3.1 The Concessionaire is obliged to notify the President of the Energy Regulatory Office in writing about the following changes:
 - 1) designation of the entity, its seat or place of residence and their address,
 - 2) number in the register of entrepreneurs in the National Court Register or an equivalent number in the register of the Member States of the European Union, the Confederation Switzerland, a member state of the European Free Alliance Trade (EFTA) – parties to the agreement on the European Economic Area or Turkey,
 - 3) tax identification number NIP,
 - within 7 days from the date of these changes at the latest, submitting at the same time an application for the change of the concession, if this change causes the need to change the provisions of this concession.

- 2.3.2 The Concessionaire is obliged to notify the President of the Energy Regulatory Office in writing about the significant changes within a period not longer than 14 days from the date of their occurrence if the changes are associated with the performed activity covered by this concession and they have not been specified in point 2.3.1., including in particular changes regarding the limitation of the scope of its activity, as well as data of persons authorized or members of the body authorized to represent the Concessionaire, at the same time submitting the application for the change of this concession, if the changes cause the need to amend the provisions of this concession. The Concessionaire is obliged to apply to the President of the Energy Regulatory Office for a change of the concession also in the event of a planned extension of the activity covered by the concession, however, commencement of the activity in the extended scope requires prior to receipt of an appropriate change in the concession.
- 2.3.3 The Concessionaire is obliged to notify the President of the Energy Regulatory Office in writing of an intention to cease activity covered by the concession no later than 18 months before the anticipated date of cessation of activity.
- 2.3.4 The Concessionaire is obliged to notify the President of the Energy Regulatory Office in writing of not undertaking the activity covered by the concession, if it does not start it within 6 months from the date of obtaining the concession, not later than 14 days from the date of expiry of this period, stating the reasons for not undertaking the activity; the date of commencement of activity shall be the date of actual commencement of the sale of gaseous fuels.
- 2.3.5 The Concessionaire is obliged to inform the President of the Energy Regulatory Office in writing about the intention to divide or merge with other entities, not later than 30 days before the planned date of division or merger.
- 2.3.6 The Concessionaire is obliged to notify the President of the Energy Regulatory Office in writing of ceasing to meet any of the conditions referred to in Article 33 (1) of the Energy Law Act, as well as on the occurrence of the circumstances referred to in Article 33(3) or (3a) of this Act, no later than within 7 days from the date on which the Concessionaire ceased to meet any of the above-mentioned requirements. conditions or any of the above circumstances occur.
- 2.3.7 The Concessionaire, by the end of the first quarter of a given year, is obliged to notify the President of the Energy Regulatory Office of a significant (over 50%) excess of the revenue threshold obtained from activities covered by the concession in the previous calendar year in relation to the level of revenue indicated as planned in the application for the concession.

I, Joanna Woźniczka, a sworn translator of English, entered into the list of sworn translators and interpreters kept by the Minister of Justice of the Republic of Poland, entry no. TP/36/14, certify the conformity of the above translation with the original electronic document presented to me.
Repertory entry no. 652/2023
Wrocław, this 7th day of March 2023.

Joanna Woźniczka

