

**Current report 25/2009**

**Subject: Crossing the threshold of 5% of the total number of votes at General Meeting**

The Board of the Issuer advises that on August 4, 2009 it received from ING Powszechne Towarzystwo Emerytalne S.A. a notification, in the mode of Art. 69, Clause 1, Sub-clause 1 of the Act of July 29, 2005 on public offers and conditions of introduction of financial instruments to the organised trade, and on publicly traded companies (Dz.U. of 2005, No. 184, Item 1539), that because of its purchase of shares in KOGENERACJA S.A., recognised on July 31, 2009, its share in the share capital and number of votes at General Meeting crossed the threshold of 5 %.

Before that change, ING PTE S.A. held 744 000 shares constituting 4,99 % of the share capital and entitling to 744 000 votes at General Meeting of the Issuer, and that constituted 4,99 % of the total number of votes at General Meeting of the Issuer.

As of the day of this notification, i.e. August 5, 2009, ING PTE S.A. holds 796 000 shares constituting 5,34 % of the share capital of the Company and entitling to 796 000 votes, and that constitutes 5,34% of the total number of votes at General Meeting.

**Legal basis:** Art. 70, Clause 1 of the Act on offers.