

Current report 35/2009

Subject: Notification about a decrease below 10% of the total number of shares and votes of OFE PZU „Złota Jesień”.

The Board of the Issuer advises that on October 27, 2009 it received from Powszechne Towarzystwo Emerytalne PZU S.A. a notification – in the mode of Art. 69, Clause 1, Sub-clause 2 of the Act of July 29, 2005 on public offers and conditions of introduction of financial instruments to the organised system of trading, and on publicly traded companies (Dz.U. of 2005, No. 184, Item 1539) – that because of its sale of shares in KOGENERACJA S.A. (on October 19, 2009) the percentage of the total shares held and votes at General Meeting to which entitled is OFE PZU „Złota Jesień” S.A. decreased to 9.78 %.

Before that change, OFE PZU „Złota Jesień” held 1 517 767 shares constituting 10,19 % of the share capital of the Company, entitling to 1 517 767 votes at General Meeting of the Issuer, constituting 10,19 % of the total number of votes at General Meeting of the Issuer.

As of the day of this notification, i.e. October 28, 2009, OFE PZU „Złota Jesień” holds 1 457 820 shares, constituting 9,78 % of the share capital of the Company, entitling to 1 457 820 votes, constituting 9,78 % of the total number of votes at General Meeting.

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