

Current report 23/2009

Subject: List of shareholders entitled to at least 5% of the votes at Ordinary General Meeting on June 25, 2009

The Board of KOGENERACJA S.A. publishes the list of shareholders who are entitled to at least 5% of the votes at Ordinary General Meeting on June 25, 2009:

Elektrociepłownia Kraków S.A.:

number of votes: 2 642 869,
number of votes at GM: 2 642 869,
% in the total number of votes: 17.74 %
% of the votes at GM: 24.56 %

EDF International S.A.:

number of votes: 2 483 830,
number of votes at GM: 2 483 830,
% in the total number of votes: 16.67 %
% of the votes at GM: 23.08 %

EnBW Energie Baden Wurttemberg AG :

number of votes: 2 323 302,
number of votes at GM: 2 323 302,
% in the total number of votes: 15,59 %
% of the votes at GM: 21,59 %

Otwarty Fundusz Emerytalny PZU "Złota Jesień":

number of votes: 1 810 000,
number of votes at GM: 1 810 000,
% in the total number of votes: 12,15 %
% of the votes at GM: 16,82 %

Legg Mason Akcji Fundusz Inwestycyjny Otwarty:

number of votes: 1 067 837,
number of votes at GM: 1 067 837,
% in the total number of votes: 7,17 %
% of the votes at GM: 9,92 %

A maximum number of votes from the shares issued by KOGENERACJA S.A. amounts to 14 900 000.

Legal basis: Art. 70, Clause 3 of the Act of July 29, 2005 on public offers and conditions of introduction of financial instruments to the organised system of trade and on the publicly traded companies