

To: Romanian Financial Supervisory Authority (FSA)
Bucharest Stock Exchange (BSE)
London Stock Exchange (LSE)

Current report in compliance with the Law 24/2017 on issuers of financial instruments and market operations, ASF Regulation no. 5/2018 on issuers of financial instruments and market operations, and the Bucharest Stock Exchange Code

Report date: 26 October 2023

Company name: Societatea Energetica Electrica S.A. (Electrica)

Headquarters: 9 Grigore Alexandrescu Street, 1st District, Bucharest, Romania

Phone/fax no.: 004-021-2085999/ 004-021-2085998

Fiscal Code: RO 13267221

Trade Register registration number: J40/7425/2000

Subscribed and paid in share capital: RON 3,464,435,970

Regulated market where the issued securities are traded: Bucharest Stock Exchange (BSE) and London Stock Exchange (LSE)

Significant events to be reported: Information appeared on portal.just.ro regarding the case no. 724/1285/2023 registered by Eurototal Comp SRL on 25Oct2023 at the Cluj Specialized Court

Following the appearance on portal.just.ro of information on the file no. 724/1285/2023, regarding the filing by Eurototal Comp SRL Bucharest (EC) of an application for the opening of insolvency proceedings against Electrica SA, Distributie Energie Electrica Romania SA (DEER), Electrica makes the following clarifications:

Between the distribution subsidiary of Electrica SA, DEER, as Contracting Entity - Beneficiary and the company EC, as Supplier, *the Sectoral Product Contract no. 5003/28Sep2022 - for the supply of "Hygienic and sanitary materials: hand cream, hand washing paste, nail brush, towel, soap, toilet paper"* was carried out, the contract price being RON 1.074.973 plus VAT.

On 28 December 2022, the Specialized Court of Cluj registered EC's request for the opening of insolvency proceedings against DEER - file no. 1221/1285/2022. After the communication of the request, DEER proceeded to pay the allegedly due amounts.

We remind that Electrica informed investors about the file 1221/1285/2022 from December 2022 through the current report of 3 January 2023 (BSE IRIS: 7D3AD, LSE RNS: 5568L).

The Cluj Specialized Court, by Judgment no. 74/12Jan2023, took note of the waiver of the creditor EC to the judgement of the application for the opening of insolvency proceedings filed against DEER SA, the decision remaining final by Decision no.115/02May2023 pronounced by the Cluj Court of Appeal.

Subsequently, within the framework of the file no. 133/117/2023*, DEER requested the reimbursement of the not due payments and accessories and also issued a negative certificate of verification as a result of the non-fulfilment of contractual obligations by the company EC. By Judgment no. 2227/17Oct2023 the court admitted DEER's claim. The decision can be appealed within 15 days from the communication. Subsequent to this judgment, EC made a partial payment of the amount it was obliged to pay.

In case no. 621/117/2023, in which the EC challenged the legality of the negative certificate of verification, the court ruled as follows: *"it can be clearly seen that the payment was made as an immediate consequence of the formulation of a petition for the opening of insolvency proceedings against the defendant, because immediately after the formulation of this petition to the court, the defendant paid the countervalue of the invoices related to the hand cream, including the penalties claimed by the claimant, although through all communications between the parties previously issued, it refused to pay the countervalue of the hand cream for the reasons shown. For these reasons, since it is clear from the evidence submitted that the applicant has improperly performed the contractual obligations assumed under the sectoral contract for products No 5003/28Sep2022, the document contested in the present case was duly issued, so that the applicant's claim is unfounded"*. Judgment no. 636/20Mar2023 remained final by decision no. 6/25May2023 pronounced by the Cluj Court of Appeal.

On 25 October 2023, a new insolvency file was registered with the Cluj Specialized Court, under number 724/1285/2023, by EC.

At this moment, the application for the opening of the insolvency proceedings has not been communicated to DEER, but considering the data available up to this moment, it results that EC's approach to file the application for the opening of the insolvency proceedings is not justified.

For more information:

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