

Current Report No. 44/2009

Date: 2009-08-12

Subject: Agreement related to the performance of a Due Diligence investigation and to confidentiality.

Legal grounds: article 56, paragraph 1, point 1 of the Act on offer – current and periodic information

The Management Board of Energomontaż-Południe S.A. (the Issuer/the Company) hereby informs that an agreement was concluded on 11 August 2009 between the Issuer and the company PBG S.A. (PBG), laying down the relevant scope and the obligations of the parties in relation to the performance of a comprehensive Due Diligence investigation of the Company by PBG.

The intention of the parties to the agreement was to consider the possibility of PBG carrying out a capital investment, as a result of which PBG would participate in the increase of the Issuer's share capital under conditions and principles to be determined separately by the parties after the completion of the Due Diligence investigation by PBG (the Company announced its intention to increase its share capital in current report No. 40/2009 dated 7 August 2009). The investigation will be carried out at the office of Energomontaż-Południe S.A. between 11 August and 3 September 2009. In the Issuer's opinion, the potential transaction will contribute to the strengthening of economic collaboration between the entities referred to above, it will reinforce the Company in terms of its capital, and it will increase the Company's potential for winning new contracts. Under the agreement, the parties have committed themselves to safeguard confidential information against unauthorised disclosure.

#### SIGNATURES OF THE PERSONS REPRESENTING THE COMPANY

Andrzej Hołda

President of the Management Board

Alina Sowa

Vice-President of the Management Board