

Current Report No. 45/2009

Date: 2009-08-12

Subject: Conclusion of a contract with a design office – Biuro Projektów "Koksoprojekt" Sp. z o.o.

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

The Management Board of Energomontaż-Południe S.A. with its registered office in Katowice (the Contractor/the Issuer/the Company) hereby informs that a contract (the Contract) was concluded on 11 August 2009 between the Issuer and Biuro Projektów "Koksoprojekt" Sp. z o.o. (Ordering Party), and that the object of the contract is the performance of deliveries and the assembly of deacidification and stripping columns in the area of the U.S. Steel Košice s.r.o. Coking Plant, Slovak Republic. The value of the contract is EUR 2.55 million, the equivalent of PLN 10.7 million as of the publishing date of this report. The task is going to be completed by June 2010. Final acceptance inspection is expected to take place by the end of July 2010.

The contract provides for liquidated damages calculated on the basis of its value and related to the failure to meet the deadlines for the following: project delivery (1% for each week of delay that has started), equipment delivery (0.05% for each day of delay), commissioning or removal of defects and backlog with regard to acceptance inspection (1% for each day of delay), documentation delivery (1% for each week of delay that has started). In case of faulty performance of the Contract that cannot be attributed to the Contractor's delay, the Ordering Party shall be entitled to charge liquidated damages from the Contractor in the amount of 10% of the value of the Contract.

The Contract does not meet the "significant contract" criterion (equity as at the end of Q1 2009 amounted to approx. PLN 114 million), nevertheless the Company regards the contract as significant for its business due to the prospects related to the coking industry market segment.

The estimated value of the Company's order portfolio taking into account the impact of the said Contract on the portfolio value is approx. PLN 468.7 million (the portfolio includes export orders in the amount of EUR 60.3 million), including the 2009 order portfolio of approx. PLN 272.7 (the portfolio includes export orders carried out in 2009, for the amount of EUR 28.8 million). The value of the order portfolio for 2009 decreased compared to the one published in current report No. 37/2009 dated 10 July 2009 due to the delay in the completion of export contracts carried out in the German market, for reasons independent of the Issuer. The portfolio value was calculated according to the EUR exchange rate the Issuer assumed for order calculation.

SIGNATURES OF THE PERSONS REPRESENTING THE COMPANY

Andrzej Hołda

President of the Management Board

Alina Sowa

Vice-President of the Management Board