

Abengoa, S.A. (la "**Sociedad**"), en cumplimiento de lo establecido en el artículo 227 del Texto Refundido de la Ley del Mercado de Valores, pone en conocimiento de la Comisión Nacional del Mercado de Valores la siguiente comunicación relativa a

Otra Información Relevante

La Sociedad informa que el día 31 de diciembre de 2021, la filial Abener Energía S.A. ("**Abener**") ha alcanzado un acuerdo con Elektrociepłownia Stalowa Wola SA ("**ECSW**") en Polonia. Según los términos del acuerdo, ECSW pagará a Abener un importe bruto de aproximadamente €92,8 millones de acuerdo con el laudo del Tribunal de Arbitraje de la Cámara de Comercio de Polonia del 25 de abril de 2019 ("**Laudo**")

Dicho importe será íntegramente aplicado por Abener para atender compromisos comerciales, fiscales, contractuales, de asesoría, y otras obligaciones relacionadas con la ejecución del proyecto objeto del Laudo.

Una vez cumplidas las condiciones incluidas en el acuerdo, ambas partes abandonarán cualquier reclamación o procedimiento judicial pendiente o futuro.

A título informativo se adjunta la nota acordada entre ambas partes.

En Sevilla, a 3 de enero de 2022

Warsaw, December 31, 2021

Execution of a settlement agreement between Elektrociepłownia Stalowa Wola S.A. and Abener Energia S.A.

Current Report No. 52/2021

Further to Current Reports No. 16/2019 of May 2nd 2019, No. 43/2019 of August 8th 2019, and No. 48/2020 of September 22nd 2020 concerning a dispute between Elektrociepłownia Stalowa Wola S.A. of Stalowa Wola ("ECSW") and Abener Energia S.A. of Campus Palmas Altas, Seville ("Abener Energia"), the Management Board of Polskie Górnictwo Naftowe i Gazownictwo S.A. ("PGNiG", the "Company") announces that it was notified that on December 31st 2021 ECSW and Abener Energia (the "Parties") signed a settlement agreement (the "Settlement") to define the terms on which ECSW and Abener Energia will settle their mutual claims arising from all court and arbitration proceedings between the parties conducted in connection with the contract to construct a CCGT unit, entered into on June 26th 2012 between Abener Energia (the general contractor) and ECSW (the principal) (the "Contract"). Based on the Settlement:

1. ECSW agrees to pay a gross amount of EUR 92,768,963.70 to Abener Energia on the basis of the award issued by the Arbitration Court of the National Chamber of Commerce of Warsaw on April 25, 2019 (the „Arbitration Court's Award”) and other settlements;
2. Upon the entry into force of the terms and conditions of the Settlement, the Parties agree to discontinue all existing court and arbitration proceedings between them, and acknowledge that they have no further or future claims under the Contract.

The entry into force of the Settlement is subject to conditions subsequent, whereby Abener Energia is obliged to produce documents enabling performance of the Settlement by February 28, 2022, including documents endorsed with an apostille confirming the consent of the pledgees (under the pledges created over amounts receivable by Abener Energia under the Arbitration Court's Award) to the Settlement. ECSW is obliged to submit a resolution of the Supervisory Board approving the Settlement by January 11, 2022.

PGNiG indirectly holds a 50% equity interest in ECSW through its subsidiary PGNiG Termika S.A.