

## **Decision of the President of the Office of Competition and Consumer Protection to approve concentration**

Current Report No. 4/2023 of 24 January 2023

*Legal basis (selected in ESPI):*

*Article 17(1) of MAR – inside information*

The Management Board of PKP CARGO S.A. (“Company”, “PKP Cargo”) hereby reports that earlier today it obtained information about the decision of the President of the Office of Competition and Consumer Protection (UOKiK) of 16 January 2023 which issued an approval, upon an application of PKP Polskie Linie Kolejowe S.A. with its registered office in Warsaw, for a concentration involving PKP Polskie Linie Kolejowe S.A. with its registered office in Warsaw (“PKP PLK”) obtaining control over Cargotor Sp. z o.o. (a fully-owned subsidiary of PKP Cargo).

The Company reported on PKP PLK’s plans regarding Cargotor Sp. z o.o. in its Current Report No. 26/2021 on 30 November 2021 after the parties signed a letter of intent, whereby PKP Cargo and PKP PLK expressed their interest in taking steps aimed at the acquisition by PKP PLK from PKP Cargo of a 100% stake in Cargotor Sp. z o.o.

Both Cargotor Sp. z o.o. and PKP PLK are involved in the infrastructural investments planned in the Malaszewicze Transshipment Zone at the European Union’s border with Belarus, which entail modernization of rail infrastructure, and the PKP PLK’s acquisition of the 100% stake in Cargotor Sp. z o.o. from PKP Cargo will generate synergies in the performance of the investment projects.

*Specific legal basis:*

*Article 17(1) of Regulation (EU) No. 596/2014 of the European Parliament and of the Council on Market Abuse.*