

PRESIDENT

Warsaw, 17 December 2020

ENERGY REGULATORY OFFICE

DRG.DRG-2.4212.24.2020.JDo1

DECISION

Pursuant to Article 47(1) and (2) and Article 23(2)(2) and (3) in conjunction with Article 30(1) of the Act of 10 April 1997. - Energy Law (Journal of Laws of 2020, item 833, as amended) and Article 104 of the act of 14 June 1960 - Code of Administrative Proceedings (Journal of Laws of 2020, item 256, as amended)

having examined the application

filed by the energy company

POLSKIE LNG S.A. with its registered office in Świnoujście,

hereinafter referred to as 'Enterprise',

of 6 October 2020, Ref. No. PLNG/PF/MM/563/2020, supplemented by letters: dated 7 October 2020 Ref. No. PLNG/PF/MM/563/2020, dated 3 November 2020 Ref. No. PLNG/PF/MM/631/2020, dated 9 November 2020 Ref. No. PLNG/PF/MM/645/2020, dated 4 December 2020 Ref. No. PLNG/PF/MM/729/2020, dated 15 December 2020 Ref. No. PLNG/PF/MM/742/2020 and dated 16 December 2020 Ref. No. PLNG/PF/MM/744/2020 for the approval of the tariff

I hereby approve

the **Tariff for LNG regasification services No. 6** enclosed herewith and proposed by the **Company for the period from 1 January 2021 to 31 December 2021.**

JUSTIFICATION

On 1 September 2020. the President of the ERO requested the Enterprise to submit an application for approval of the tariff for LNG regasification services No. 6 in connection with the approaching expiry of the Tariff No. 5. To this effect, the Enterprise submitted an application on 6 October 2020.

Pursuant to Article 47(1) and (2) of the Energy Law, an energy company having a license, sets the tariff for gaseous fuels and proposes its duration. The submitted tariff is subject to approval by the President of the ERO, provided that it complies with the provisions referred to in Articles 44 to 46 of the Energy Law and the provisions of the Regulation of the Minister of Energy of 15 March 2018 on the detailed rules for the formation and calculation of tariffs and settlements in gaseous fuel trade (Journal of Laws of 2018, Item 640, as amended).

The fee rates set by the Enterprise in the tariff were calculated based on the justified costs to be incurred during the tariff period to perform the licensed activity.

In view of the above, it has been decided as stated hereinabove.

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INSTRUCTION

1. This decision is subject to appeal to the District Court in Warsaw - Court of Competition and Consumer Protection Agency (SOKiK), by my agency within two weeks of the date of its delivery (Article 30 Section 2 and 3 of the Energy Law in connection with Article 47946(1) and Article 47947 § 1 of the Code of Civil Procedure - Journal of Laws of 2020 item 1575, as amended). The appeal should be sent to the address of the Energy Regulatory Office, Al. Jerozolimskie 181, 02-222 Warsaw.
2. The appeal against the decision should satisfy the requirements prescribed for a pleading and shall contain a reference to the contested decision and the value of the object of the dispute, a statement of objections, a brief statement of reasons, an indication of evidence, and include a request for annulment or amendment to the decision in whole or in part (Article 47949 of the Code of Civil Procedure).
3. The appeal against the decision of the ERO President is subject to a fixed fee of PLN 1,000 (Article 32 sec. 1 in connection with Art. 3.2.9 of the Act of 28 July 2005 on court fees in civil matters - Journal of Laws of 2020, Item 755, as amended). The fee is payable to the bank account of the District Court in Warsaw, 17th Division of Competition and Consumer Protection. A petitioner may apply for exemption from court fee pursuant to Article 101 et seq. of the law on court costs in civil matters, and for granting legal assistance by appointment of an attorney or legal counsel in accordance with Article 117 of the Code of Civil Proceedings.
4. During the period for lodging an appeal, a petitioner may waive the right to appeal to the SOKiK against the President of the ERO (Article 127a § 1 of the Code of Administrative Procedure). As of the date of service on the public authority of the statement of waiver of the right of appeal by a petitioner, the decision shall become final and legally binding (Article 127a § 2 of the Code of Administrative Procedure).
5. In the period of an epidemic emergency or a state of epidemic declared due to COVID-19 there is no possibility of personal delivery of letters to the Office.
6. Pursuant to Article 47 Section 3 point 1 in conjunction with Article 31 Section 3 point 2 of the Energy Law, the tariff will be forwarded for publication in the "Energy Regulatory Office Industry Bulletin - Gaseous Fuels".
7. Pursuant to Article 47 Section 4 of the Energy Law, the tariff shall enter into force not earlier than after 14 days and not later than 45 days of the date of publication.

President
Energy Regulatory Office

Rafał Gawin, Ph.D. Eng.