Extended consolidated quarterly report of the ENEA Group for the third quarter of 2009

Poznań, 16 November 2009

Contents of the extended consolidated quaterly report

Selected consolidated financial data of the ENEA Capital Group

	in PLN '000		in EUR '000	
	9 months ended 30.09.2009	**9 months ended 30.09.2008**	**9 months ended 30.09.2009**	**9 months ended 30.09.2008**
Net sales revenues	5 239 438	4 526 288	1 190 971	1 321 660
Profit/loss on operating activities	439 371	154 959	99 873	45 247
Profit/loss before tax	556 701	189 062	126 543	55 205
Net profit/loss for the reporting period	446 282	136 001	101 444	39 712
Cash flows from operating activities	523 538	708 807	119 005	206 969
Net cash flows from investing activities	(2 015 504)	(503 491)	(458 142)	(147 018)
Net cash flows from financing activities	(216 989)	(136 526)	(49 324)	(39 865)
Total net cash flows	(1 708 955)	68 790	(388 461)	20 086
Weighted average number of shares	441 442 578	347 253 939	441 442 578	347 253 939
Net profit per share (in PLN per share)	1.01	0.39	0.23	0.11
Diluted profit per share (in PLN/EUR)	1.01	0.39	0.23	0.11

	Balance as at 30.09.2009	**Balance as at 31.12.2008**	**Balance as at 30.09.2009**	**Balance as at 31.12.2008**
Total assets	12 126 622	11 985 917	2 871 838	2 872 667
Total liabilities	2 819 058	2 961 664	667 612	709 823
Non-current liabilities	1 465 340	1 518 009	347 023	363 822
Current liabilities	1 353 718	1 443 655	320 589	346 001
Equity	9 307 564	9 024 253	2 204 226	2 162 845
Share capital	588 018	588 018	139 255	140 930
Net book value per share (in PLN/EUR)	21.08	25.99	4.99	6.23
Diluted book value per share (in PLN/EUR)	21.08	25.99	4.99	6.23

The above financial data for Q3 2009 and 2008 were translated into EUR in line with the following principles:

- individual assets and liabilities – as per the average exchange rate at 30 September 2009 - PLN/EUR 4.2226 (as at 31 December 2008 - PLN/EUR 4.1724);
- individual items from the income statement and the cash flow statement – as per the arithmetic mean of the average exchange rates determined by the National Bank of Poland as at the last day of each month of the financial period from 1 January to 30 September 2009 - PLN/EUR – 4.3993 (for the period from 1 January to 30 September 2008 – PLN/EUR 3.4247).

INDEPENDENT AUDITOR'S REPORT ON THE REVIEW OF THE CONDENSED INTERIM CONSOLIDATED FINANCIAL STATEMENTS FOR THE PERIOD FROM 1 JANUARY 2009 TO 30 SEPTEMBER 2009

To the Supervisory Board and Management Board of ENEA S.A.

We have reviewed the attached condensed interim consolidated financial statements of the ENEA Capital Group in which ENEA S.A., with registered office in Poznań, ul. Nowowiejskiego 11, acts as the Group's parent company, including:

- consolidated balance sheet prepared as of 30 September 2009, with total assets and equity plus liabilities of PLN 12,126,622 thousand;
- consolidated statement of comprehensive income for the period from 1 January 2009 to 30 September 2009 disclosing a net profit of PLN 446,282 thousand and comprehensive income of PLN 469,202 thousand;
- statement of changes in consolidated equity for the period from 1 January 2009 to 30 September 2009, disclosing an increase in equity of PLN 283,311 thousand;
- consolidated cash flow statement for the period from 1 January 2009 to 30 September 2009, showing a cash outflow of PLN 1,708,955 thousand;
- additional information and explanations.

The Management Board of ENEA S.A. is responsible for fairness, correctness and clarity of information contained in the condensed interim consolidated financial statements drawn up in compliance with International Financial Reporting Standards applicable to interim financial reporting, as approved by the European Union ("IAS 34") and correctness of preparing consolidation documentation. Our responsibility was to review these condensed interim consolidated financial statements.

The condensed interim consolidated financial statements of the ENEA Capital Group for the period of 9 months ended 30 September 2009 cover financial data of 24 subsidiaries consolidated with the full method. The financial statements of 6 subsidiaries were subject to review by the entity authorized to audit financial statements, Deloitte Audyt Sp. z o.o. The financial statements of the remaining 18 subsidiaries were not subject to review by entities authorized to audit financial statements. The share of the financial statements which were not subject to a review in consolidated sales revenue and in the consolidated balance sheet total before consolidation adjustments was 2% and 1%, respectively.

We have conducted the review in line with legal regulations valid in Poland and auditing standards issued by the National Council of Statutory Auditors. The standards require to plan and conduct the review in such a way as to obtain reasonable assurance that the condensed interim consolidated financial statements are free of material misstatements. Our review was conducted mainly based on an analysis of data included in the condensed interim consolidated financial statements, examination of consolidation documentation as well as information provided by the Management Board and the financial and accounting personnel of the parent company. The scope and method of review of the condensed interim consolidated financial statements are substantially different from an audit. The objective of the review is not to express an opinion on the fairness, correctness and clarity of the condensed interim consolidated financial statements. Therefore, no such opinion is issued.

Our review did not identify a need to introduce significant changes to the attached condensed interim consolidated financial statements so that they would provide a fair and clear view of the financial and economic position of the ENEA Capital Group as at 30 September 2009 and its financial result for the period from 1 January 2009 to 30 September 2009, in line with IAS 34.

Without insisting on the necessity to introduce significant changes to the attached condensed interim consolidated financial statements, we would like to draw attention to Note 25 in which the Management Board of ENEA S.A. presented information concerning the Decision of the President of the Energy Regulatory Office provided to Elektrownia "Kozienice" S.A. on 5 August 2009 determining the amount of the annual adjustment of orphaned costs for Elektrownia "Kozienice" S.A. for the year 2008 as well as the impact of this decision on the condensed interim consolidated financial statements for the period from 1 January 2009 to 30 September 2009.

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Marcin Samolik
Certified auditor:
No. 10066

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Represented by

....
Deloitte Audyt Sp. z o.o.
Al. Jana Pawła II 19, Warszawa
Entity entitled to audit financial
statements entered under
number 73 on the list kept by the
National Council of Statutory Auditors

Warsaw, 16 November 2009

Condensed interim consolidated financial statements of the ENEA Capital Group for the period from 1 January to 30 September 2009

Poznań, 16 November 2009

Index to the condensed interim consolidated financial statements

These condensed interim consolidated financial statements were prepared in accordance with International Financial Reporting Standards IAS 34 Interim Financial Reporting, as approved by the European Union (EU) and adopted by the Management Board of ENEA S.A.

Members of the Management Board

Chairman of the Management Board	**Maciej Owczarek**	**………………………………..**
Member of the Management Board	**Piotr Koczorowski**	**………………………………..**
Member of the Management Board	**Sławomir Jankiewicz**	**…………………………………**
Member of the Management Board	**Marek Malinowski**	**…………………………………**
Member of the Management Board	**Tomasz Treider**	**…………………………………**

Poznań, 16 November 2009

(all amounts in PLN '000, unless specified otherwise)

Consolidated Balance Sheet

	As at	
	30.09.2009	**31.12.2008**
ASSETS		
Non-current assets		
Property, plant and equipment	7 866 899	7 944 815
Perpetual usufruct right	16 548	15 321
Intangible assets	37 950	36 606
Investment properties	4 897	5 034
Investments in associates accounted for using the equity method	197 796	189 941
Financial assets available for sale	40 657	8 965
Financial assets measured at fair value through profit or loss	1 167	1 033
Trade and other receivables	1 395	2 316
	8 167 309	**8 204 031**
Current assets		
Inventories	353 129	270 044
Trade and other receivables	971 308	780 098
Current income tax receivables	2 069	5 538
Financial assets available for sale	-	4 806
Financial assets held to maturity	47 340	100 741
Financial assets measured at fair value through profit or loss	1 673 763	-
Cash and bank balances	911 704	2 620 659
	3 959 313	**3 781 886**
Total assets	**12 126 622**	**11 985 917**

(all amounts in PLN '000, unless specified otherwise)

	As at	
LIABILITIES	**30.09.2009**	**31.12.2008**
Equity		
Equity attributable to equity holders of the Parent		
Share capital	588 018	588 018
Akcje własne	-	(17 396)
Share premium	3 632 464	3 632 464
Share based capital	1 144 336	1 144 336
Revaluation reserve (financial instruments)	21 821	(1 099)
Other capitals	(28 226)	(28 226)
Retained earnings	3 918 169	3 675 078
	9 276 582	**8 993 175**
Minority interest	30 982	31 078
Total equity	**9 307 564**	**9 024 253**
LIABILITIES		
Non-current liabilities		
Loans and borrowings	125 933	152 785
Trade and other liabilities	164	708
Finance lease liabilities	1 388	1 515
Deferred income from subsidies and connection fees	809 294	767 514
Deferred tax liabilities	102 928	123 480
Employee benefits	402 672	438 796
Provisions for other liabilities and charges	22 961	33 211
	1 465 340	**1 518 009**
Current liabilities		
Loans and borrowings	47 830	52 605
Trade and other liabilities	907 364	865 581
Finance lease liabilities	1 080	877
Deferred income from subsidies and connection fees	36 215	26 079
Current tax liabilities	71 630	18 705
Employee benefits	120 066	129 880
Liabilities due to an equivalent of the right to acquire shares free of charge	424	163 799
Provision for certificates of origin	38 140	101 403
Provisions for other liabilities and charges	130 969	84 726
	1 353 718	**1 443 655**
Total liabilities	**2 819 058**	**2 961 664**
Total equity and liabilities	**12 126 622**	**11 985 917**

(all amounts in PLN '000, unless specified otherwise)

Consolidated Statement of Comprehensive Income

	9 months ended 30.09.2009	3 months ended 30.09.2009	9 months ended 30.09.2008	3 months ended 30.09.2008
Sales revenues	5 432 899	1 714 242	4 695 041	1 541 763
Excise duty	(193 461)	(66 730)	(168 753)	(54 061)
Net sales revenues	**5 239 438**	**1 647 512**	**4 526 288**	**1 487 702**
Other operating revenue	62 088	24 578	49 023	8 314
Amortization/ depreciation	(482 233)	(163 312)	(479 165)	(156 895)
Employee benefit costs	(584 554)	(197 634)	(704 947)	(199 707)
Consumption of materials and raw materials and costs of goods sold	(1 139 392)	(427 057)	(982 365)	(335 825)
Energy purchase for the needs of sales	(1 712 290)	(533 289)	(1 286 725)	(415 522)
Transmission services	(511 516)	(178 035)	(558 933)	(177 022)
Other external services	(238 691)	(96 419)	(201 030)	(78 165)
Taxes and charges	(127 885)	(41 260)	(118 963)	(39 074)
Profit/(Loss) on sales and liquidation of property, plant and equipment	1 896	739	(4 075)	(1 825)
Impairment loss on property, plant and equipment	(7 517)	-	-	-
Other operating expenses	(59 973)	(20 380)	(84 149)	(32 862)
Operating profit	**439 371**	**15 443**	**154 959**	**59 119**
Financial expenses	(24 930)	(278)	(26 778)	(10 564)
Financial revenues	131 696	47 404	60 360	18 727
Share in net (losses)/profits of associated entities measured using the equity method	10 564	1 795	521	949
Profit before tax	**556 701**	**64 364**	**189 062**	**68 231**
Income tax	(110 419)	(9 988)	(53 061)	(23 191)
Net profit for the reporting period	**446 282**	**54 376**	**136 001**	**45 040**
Other comprehensive income items				
Measurement of financial assets available for sale	28 296	6 199	(1 835)	-
Income tax related to other comprehensive income items	(5 376)	(1 172)	284	-
Other net comprehensive income items	**22 920**	**5 027**	**(1 551)**	**-**
Comprehensive income for the period	**469 202**	**59 403**	**134 450**	**45 040**
Including net profit:				
attributable to shareholders of the Parent	446 372	54 887	136 050	45 014
attributable to minority interest	(90)	(511)	(49)	26
Including comprehensive income:				
attributable to shareholders of the Parent	469 292	59 914	134 499	45 014
attributable to minority interest	(90)	(511)	(49)	26
Net profit attributable to shareholders of the Parent	446 372	54 887	136 050	45 014
Weighted average number of ordinary shares	441 442 578	441 442 578	347 253 939	345 341 718
Net profit per share (in PLN per one share)	**1,01**	**0,12**	**0,39**	**0,13**
Diluted profit per share (in PLN per share)	**1,01**	**0,12**	**0,39**	**0,13**

The consolidated statement of comprehensive income should be analyzed together with the explanatory notes which constitute an integral part of these condensed interim consolidated financial statements.

(all amounts in PLN '000, unless specified otherwise)

Consolidated Statement of Changes in Equity

	Share capital (nominal value)	Revaluation of share capital	Total share capital	Own shares	Share-based capital	Capital due to surplus of the price of issue over the nominal value	Revaluation reserve (financial instruments)	Other capitals	Retained earnings	Capital attributable to minority interest	Total equity
Balance as at 01.01.2009	**441 443**	**146 575**	**588 018**	**(17 396)**	**1 144 336**	**3 632 464**	**(1 099)**	**(28 226)**	**3 675 078**	**31 078**	**9 024 253**
Total profit							22 920		446 372	(90)	469 202
Dividends									(203 281)	(6)	(203 287)
Sale of own shares acquired under the stabilization option				17 396							17 396
Balance as at 30.09.2009	**441 443**	**146 575**	**588 018**	**-**	**1 144 336**	**3 632 464**	**21 821**	**(28 226)**	**3 918 169**	**30 982**	**9 307 564**

The consolidated statement of changes in equity should be analyzed together with the explanatory notes which constitute an integral part of these condensed interim consolidated financial statements.

(all amounts in PLN '000, unless specified otherwise)

	Share capital (nominal value)	Revaluation of share capital	Total share capital	Own shares	Share-based capital	Capital due to surplus of the price of issue over the nominal value	Revaluation reserve (financial instruments)	Other capitals	Retained earnings	Capital attributable to minority interest	Total equity
Balance as at 01.01.2008	**348 221**	**146 575**	**494 796**		**901 110**	**1 801 078**	**-**	**-**	**3 566 227**	**3 164**	**6 766 375**
Total profit									134 499	(49)	134 450
Dividends									(98 588)	(269)	(98 857)
Redemption of shares	(10 594)		**(10 594)**						10 594		-
Cash equivalent exchanged for shares					224 042						224 042
Change in the fair value of employee shares program					19 184						19 184
Other						(5 033)				36	(4 997)
Balance as at 30.09.2008	**337 627**	**146 575**	**484 202**	**-**	**1 144 336**	**1 796 045**	**-**	**-**	**3 612 732**	**2 882**	**7 040 197**

The consolidated statement of changes in equity should be analyzed together with the explanatory notes which constitute an integral part of these condensed interim consolidated financial statements.

(all amounts in PLN '000, unless specified otherwise)

Consolidated cash flow statement

	9 months ended 30.09.2009	9 months ended 30.09.2008
Cash flows from operating activities		
Net profit for the reporting period	446 282	136 001
Adjustments for:		
Income tax as per income statement	110 419	53 061
Amortization/depreciation	482 233	479 165
Share based payments expense	-	19 433
(Profit)/Loss on sales and liquidation of property, plant and equipment	(1 896)	4 075
Impairment loss of property, plant and equipment	7 517	5 788
(Profit)/Loss on sales of financial assets	(17 611)	(1 777)
Interest revenue	(113 915)	(53 279)
Dividend revenue	(2 335)	-
Interest expense	9 241	11 841
Share in (profit)/losses of associated entities	(10 564)	(521)
Exchange (gains)/losses on loans and borrowings	1 332	(4 431)
Other adjustments	(4 362)	-
	460 059	**513 355**
Income tax paid	(77 878)	(93 677)
Interest received	105 038	50 893
Interest paid	(9 304)	(9 347)
Changes in working capital		
Inventories	(83 236)	(86 803)
Trade and other receivables	(189 639)	(28 887)
Trade and other liabilities	63 767	(82 452)
Employee benefits	(45 374)	105 527
Deferred income from subsidies and connections' fee	44 490	45 564
Changes in certificates of origin	(63 263)	108 501
Change in liabilities due to an equivalent of the right to acquisition of shares free of charge	(163 375)	-
Changes in provisions	35 971	50 132
	(400 659)	111 582
Cash flows from operating activities	**523 538**	**708 807**
Cash flows from investing activities		
Acquisition of property, plant and equipment and intangible assets	(426 202)	(422 764)
Proceeds from sales of property, plant and equipment	8 888	14 636
Acquisition of financial assets	(1 905 500)	(94 098)
Proceeds from sales of financial assets	302 951	3 768
Dividends received	10 515	-
Other outflows	(6 156)	(5 033)
Net cash flows from investing activities	**(2 015 504)**	**(503 491)**
Cash flows from financing activities		
Proceeds from borrowings	811	1 431
Repayment of borrowings	(33 959)	(50 444)
Dividends paid to the Parent Company's shareholders	(203 064)	(86 111)
Outflows related to financial lease liabilities	(2 829)	(1 402)
Proceeds from sale of own shares	22 479	-
Other changes	(427)	-
Net cash flows from financing activities	**(216 989)**	**(136 526)**
Net increase/ (decrease) in cash and cash equivalents	**(1 708 955)**	**68 790**
Cash and cash equivalents at the beginning of the reporting period	2 620 659	940 792
Cash and cash equivalents at the end of the reporting period	**911 704**	**1 009 582**

The consolidated cash flow statement should be analyzed together with the explanatory notes which constitute an integral part of these condensed interim consolidated financial statements.

(all amounts in PLN '000, unless specified otherwise)

Notes to the condensed interim consolidated financial statements

1. General information about ENEA S.A. and the ENEA Capital Group

Name (company):	ENEA Spółka Akcyjna
Legal form:	joint-stock company
Country of jurisdiction:	Republic of Poland
Registered office:	Poznań
Address:	ul. Nowowiejskiego 11, 60-967 Poznań
National Court Register - District Court in Poznań	KRS 0000012483
Telephone:	(+48 61) 856 10 00
Fax:	(+48 61) 856 11 17
E-mail:	enea@enea.pl
Website:	www.enea.pl
Statistical number (REGON):	630139960
Tax identification number (NIP):	777-00-20-640

Main activities of the ENEA S.A. Capital Group ("the Group", "the Capital Group") are:
- production of electricity (Elektrownia "Kozienice" S.A., Elektrownie Wodne Sp. z o.o.);
– trade in electricity (ENEA S.A.);
- distribution of electricity (ENEA Operator Sp. z o.o.).

As at 30 September 2009 the Parent's shareholding structure was the following (after the increase of the share capital due to the issue of shares under the public offering, registered in the National Court Register on 13 January 2009): the State Treasury of the Republic of Poland holds 76.48% of shares, Vattenfall AB 18.67 %, European Bank for Reconstruction and Development 2.50%, other shareholders 2.35%. The sale of own shares by the Parent (nominal value of PLN 1; the sale of 1 129 608 own shares at the average price of PLN 19.90 per share) was settled on 11 August 2009.

As at 30 September 2009, the Capital Group consisted of the parent entity ENEA S.A. ("the Company", "the Parent"), 24 subsidiaries, 3 associated entities and 1 jointly controlled entity.

These condensed interim consolidated financial statements were prepared under the going concern assumption. There are no circumstances indicating that the going concern assumption of ENEA S.A. is threatened.

2. Statement of compliance

These condensed interim consolidated financial statements were prepared in accordance with International Financial Reporting Standards IAS 34 Interim Financial Reporting, as approved by the European Union (IFRS EU) and adopted by the Management Board of ENEA S.A.

The Management Board of the Parent has used its best knowledge as to the application of standards and interpretations as well as measurement methods and principles applicable to the individual items of the condensed interim consolidated financial statements of the ENEA Capital Group in accordance with IFRS UE as at 30 September 2009. The presented statements and explanations have been determined using due diligence. Theses condensed interim consolidated financial statements were audited by a certified auditor.

3. Accounting principles applied

These condensed interim consolidated financial statements were prepared in accordance with accounting policies consistent with those applied during the preparation of the most recent annual consolidated financial statements, excluding changes of standards and interpretations approved by the European Union, which apply to the reporting periods beginning after 1 January 2009.

Accounting polices applied by the Group were presented in the consolidated financial statements of the ENEA Capital Group for the reporting period ended 31 December 2008.

Polish zloty was used as the measurement and reporting currency for the condensed interim consolidated financial statements. The data in the condensed interim consolidated financial statements is presented in PLN thousand (PLN '000), unless stated otherwise.

These condensed interim consolidated financial statements should be read together with the consolidated financial statements of the ENEA Capital Group for the year ended 31 December 2008.

4. New accounting standards and interpretations

New standards approved by the EU are applicable for annual periods beginning after 1 January 2009. The Group complied with these standards when preparing these condensed interim consolidated financial statements.

- IFRS 8 - Operating Segments
- Revised IAS 1 - Presentation of Financial Statements
- Revised IAS 23 - Borrowing Costs

5. Material estimates and assumptions

The preparation of these condensed interim consolidated financial statements in conformity with IFRS EU requires that the Management Board made certain judgments, estimates and assumptions that affect the application of adopted accounting policies and the amounts reported in the condensed interim consolidated financial statements and notes thereto. The adopted assumptions and estimates are based on the Management Board's best knowledge about current and future activities and events. The actual figures, however, can be different from those assumed. The estimates presented in the previous financial years do not exert any significant influence on the current interim period.

(all amounts in PLN '000, unless specified otherwise)

6. Composition of the Capital Group - list of subsidiaries, associates and jointly-controlled entities

No.	Name and address of the Company	ENEA S.A. percentage share in the total number of votes 30.09.2009	ENEA S.A. percentage share in the total number of votes 31.12.2008
1.	ENERGOMIAR Sp. z o.o. *Poznań, ul Strzeszyńska 58*	100	100
2.	BHU S.A. *Poznań, ul. Strzeszyńska 58*	87.97	87.97
3.	Energetyka Poznańska Biuro Usług Technicznych S.A. *Poznań, ul. Dziadoszańska 10*	100	100
4.	Hotel „EDISON" Sp. z o.o. *Baranowo near Poznań*	100	100
5.	Energetyka Wysokich i Najwyższych Napięć „EWiNN" Sp. z o.o. *Poznań, ul. Strzeszyńska 58*	100	100
6.	Energetyka Poznańska Zakład Transportu Sp. z o.o. *Poznań, ul. Strzeszyńska 58*	100	100
7.	COGEN Sp. z o.o. *Poznań, ul. Nowowiejskiego 11*	100	100
8.	EnergoPartner Sp. z o.o. *Poznań, ul. Warszawska 43*	100	100
9.	Energetyka Poznańska Przedsiębiorstwo Usług Energetycznych Energobud Leszno Sp. z o.o. *Lipno, Gronówko 30*	100	100
10.	ENERGO-TOUR Sp. z o.o. *Poznań, ul. Strzeszyńska 58*	99.92	99.92
11.	ENEOS Sp. z o.o. *Szczecin, ul. Ku Słońcu 34*	100	100
12.	ENTUR Sp. z o.o. *Szczecin, ul. Malczewskiego 5/7*	100	100
13.	Niepubliczny Zakład Opieki Zdrowotnej Centrum Uzdrowiskowe ENERGETYK Sp. z o.o. *Inowrocław, ul. Wilkońskiego 2*	99.92	99.92
14.	Elektrownie Wodne Sp. z o.o. *Samociążek, 86-010 Koronowo*	100	100
15.	Zakład Usług Przewozowych ENERGOTRANS Sp. z o.o. *Gorzów Wlkp., ul. Energetyków 4*	100	100
16.	„PWE Gubin" Sp. z o.o. Sękowice 100 gm. Gubin	50	50
17.	Przedsiębiorstwo Energetyki Cieplnej Sp. z o.o. Oborniki, ul. Wybudowanie 56	87.99	87.99
18.	ITSERWIS Sp. z o.o. *Zielona Góra, ul. Zacisze 28*	100	100
19.	Auto – Styl Sp. z o.o. *Zielona Góra, ul. Zacisze 15*	100	100
20.	FINEA Sp. z o.o. *Poznań, ul.Warszawska 43*	100	100
21.	Przedsiębiorstwo Energetyki Cieplnej –Gozdnica Sp. z o.o. *Gozdnica, ul. Świerczewskiego 30*	100	100
22.	ENEA Operator Sp. z o.o. *Poznań, ul. Strzeszyńska 58*	100	100
23.	Elektrownia „Kozienice" S.A. *Świerże Górne, gmina Kozienice, Kozienice 1*	100	100
24.	Miejska Energetyka Cieplna Piła Sp. z o.o. *64-920 Piła, ul. Kaczorska 20*	64.997	64.997
25.	Kozienice II Sp. z o.o. *Świerże Górne, Kozienice municipality, Kozienice 2*	100	100
26.	Przedsiębiorstwo Produkcji Strunobetonowych Żerdzi Wirowanych WIRBET S.A. *Ostrów Wlkp., ul. Chłapowskiego 51*	49	49
27.	Przedsiębiorstwo Energetyki Cieplnej w Śremie S.A. *Śrem, ul. Staszica 6*	41.65	41.65
28.	Elektrociepłownia Białystok S.A. *Białystok, ul. Gen. Andersa 3*	30.36	30.36

Changes in the Capital Group structure in the period covered by these condensed interim consolidated financial statements

On 23 February 2009, the Extraordinary Shareholders' Meeting of Kozienice II Sp. z o. o. adopted a resolution to increase the share capital by PLN 34,000 thousand. ENEA S.A.. acquired 17,200 new shares with the face value of PLN 1,000 each. The remaining shares were assumed by Elektrownia "Kozienice" S.A. After the capital increase, Elektrownia "Kozienice" S.A. and ENEA S.A. hold 50% in the share capital and in the total number of votes at the Shareholders' Meeting each. Appropriate entry to the National Court Register was made on 7 April 2009.

On 31 March 2009 the Extraordinary Shareholders' Meeting of Zakład Usług Teleinformatycznych ZZE S.A. "IT SERWIS" Sp. z o. o. passed a Resolution No. 1 to increase the company's share capital by PLN 6,264 thousand to PLN 6,364 thousand, by way of creating 12,528 new shares with the face value of PLN 500 each. All new shares in the company's share capital were assumed by the sole shareholder ENEA S.A. The shares were covered with a contribution in kind. The increase in capital was registered on 15 May 2009.

On 31 March 2009 the Extraordinary Shareholders' Meeting of ENTUR Sp. z o. o. passed a Resolution No. 1 to increase the company's share capital by PLN 3,934.5 thousand to PLN 4,034.5 thousand, by way of creating 7,869 new shares with the face value of PLN 500 each. All new shares in the company's share capital were assumed by the sole shareholder ENEA S.A. The shares were covered with a contribution in kind. The increase in capital was registered on 9 June 2009.

On 31 March 2009 the Extraordinary Shareholders' Meeting of Zakład Usług Przewozowych "ENERGOTRANS" Sp. z o. o. passed a Resolution No. 1 to increase the company's share capital by PLN 500 thousand up to PLN 1,385 thousand, by way of creating 1,000 new shares with the face value of PLN 500 each. All new shares in the company's share capital were assumed by the sole shareholder ENEA S.A. On 1 April 2009 the shares were covered with a cash contribution.

On 4 May 2009 the Extraordinary Shareholders' Meeting of COGEN Sp. z o. o. passed a Resolution No. 1 to increase the company's share capital by PLN 622.5 thousand up to PLN 1,622.5 thousand, by way of creating 1,245 new shares with the face value of PLN 500 each. All new shares in the company's share capital were assumed by the sole shareholder ENEA S.A.

On 25 May 2009 the Extraordinary Shareholders' Meeting of "PWE GUBIN" Sp. z o. o. passed a Resolution to increase the company's share capital by PLN 11,000 thousand. ENEA S.A. assumed 5,500 new shares with the face value of PLN 1,000 each. The remaining shares were assumed by Kopalnia Węgla Brunatnego "Konin" w Kleczewie S.A. After the capital increase, ENEA S.A. and Kopalnia Węgla Brunatnego "Konin" hold 50% in the share capital and in the total number of votes at the Shareholders' Meeting each.

On 1 July 2009 a merger consisting in the acquisition of STEREN Sp z o.o. with its registered office in Bydgoszcz by ENERGOMIAR Sp. z o.o. with its registered office in Poznań was registered in the National Court Register. As a result, a new entity was established under the name: ENERGOMIAR Sp z o.o. with the registered office in Poznań.

On 27 July 2009, the Extraordinary Shareholders' Meeting of EnergoPartner Sp. z o. o. adopted a resolution to increase the share capital by PLN 200 thousand, i.e. up to PLN 8,200 thousand, by way of creating 200 new shares with the face value of PLN 1,000 each. All new shares in the company's share capital were assumed by the sole shareholder ENEA S.A. and cash covered.

On 31 August 2009 the Extraordinary Shareholders' Meeting of EnergoPartner Sp. z o. o. passed a Resolution No. 1 to increase the company's share capital by PLN 2,900 thousand to PLN 11,100 thousand, by way of creating 2,900 new shares with the face value of PLN 1,000 each. All new shares in the company's share capital were assumed by the sole shareholder ENEA S.A. and cash covered.

(all amounts in PLN '000, unless specified otherwise)

7. Segment reporting

Segment reporting for the period from 1 January to 30 September 2009 is as follows:

	Turnover	**Distribution**	**Production**	**All other segments**	**Eliminations**	**Group**
Net revenues	3 368 828	1 651 022	(16 213)	235 801	-	5 239 438
Net inter-segment revenues	240 400	-	1 742 603	288 154	(2 271 157)	-
Total net revenues	**3 609 228**	**1 651 022**	**1 726 390**	**523 955**	**(2 271 157)**	**5 239 438**
Total costs	(3 457 667)	(1 483 926)	(1 572 664)	(492 837)	2 245 150	(4 761 944)
Segment result	**151 561**	**167 096**	**153 726**	**31 118**	**(26 007)**	**477 494**
Unallocated costs of the Group (administration and general expanses)						(38 123)
Operating profit						**439 371**
Financial costs						(24 930)
Financial income						131 696
Net share in profits/(losses) of associates						10 564
Income tax						(110 419)
Net profit						**446 282**
Minority interest						(90)

(all amounts in PLN '000, unless specified otherwise)

Segment reporting for the period from 1 July to 30 September 2009 is as follows:

	Turnover	Distribution	Production	All other segments	Eliminations	Group
Net revenues	1 119 523	552 353	(120 888)	96 524	-	1 647 512
Net inter-segment revenues	102 133	-	637 911	86 229	(826 273)	-
Total net revenues	**1 221 656**	**552 353**	**517 023**	**182 753**	**(826 273)**	**1 647 512**
Total costs	(1 186 993)	(497 575)	(587 495)	(161 391)	815 858	(1 617 596)
Segment result	**34 663**	**54 778**	**(70 472)**	**21 362**	**(10 415)**	**29 916**
Unallocated costs of the Group (administration and general expanses)						(14 473)
Operating profit						**15 443**
Financial costs						(278)
Financial income						47 404
Net share in profits/(losses) of associates						1 795
Income tax						(9 988)
Net profit						**54 376**
Minority interest						(511)

(all amounts in PLN '000, unless specified otherwise)

Segment reporting for the period from 1 January to 30 September 2008 is as follows:

	Turnover	Distribution	Production	All other segments	Eliminations	Total
Net revenues	2 444 768	1 711 251	178 288	191 981	-	4 526 288
Net inter-segment revenues	174 737	-	1 150 896	295 772	(1 621 405)	-
Total net revenues	**2 619 505**	**1 711 251**	**1 329 184**	**487 753**	**(1 621 405)**	**4 526 288**
Total costs	(2 548 702)	(1 615 487)	(1 280 382)	(499 591)	1 620 327	(4 323 835)
Segment result	**70 803**	**95 764**	**48 802**	**(11 838)**	**(1 078)**	**202 453**
Unallocated costs of the Group (administration and general expanses)						(47 494)
Operating profit						**154 959**
Financial costs						(26 778)
Financial income						60 360
Net share in profits/(losses) of associates						521
Income tax						(53 061)
Net profit						**136 001**
Minority interest						(49)

(all amounts in PLN '000, unless specified otherwise)

Segment reporting for the period from 1 July to 30 September 2008 is as follows:

	Turnover	Distribution	Production	All other segments	Eliminations	Total
Net revenues	833 410	544 485	50 232	59 575	-	1 487 702
Net inter-segment revenues	49 619	-	382 953	113 201	(545 773)	-
Total net revenues	**883 029**	**544 485**	**433 185**	**172 776**	**(545 773)**	**1 487 702**
Total costs	(837 004)	(522 396)	(422 091)	(182 792)	545 731	(1 418 552)
Segment result	**46 025**	**22 089**	**11 094**	**(10 016)**	**(42)**	**69 150**
Unallocated costs of the Group (administration and general expanses)						(10 031)
Operating profit						**59 119**
Financial costs						(10 564)
Financial income						18 727
Net share in profits/(losses) of associates						949
Income tax						(23 191)
Net profit						**45 040**
Minority interest						26

(all amounts in PLN '000, unless specified otherwise)

Segment reporting (cont'd)

Other segment reporting information as at 30 September 2009:

	Turnover	Distribution	Production	All other segments	Exclusions	Total
Tangible fixed assets	18 129	4 588 776	2 712 851	340 271	(5 647)	7 654 380
Trade and other receivables	493 293	341 371	286 013	117 004	(337 889)	899 792
Total:	511 422	4 930 147	2 998 864	457 275	(343 536)	8 554 172
Assets excluded from segmentation						3 572 450
- including tangible fixed assets						212 519
- including Trade and other receivables						72 911
TOTAL: ASSETS						**12 126 622**
Trade and other payables	422 376	261 795	343 018	104 704	(337 889)	794 004
Equity and liabilities excluded from segmentation						11 332 618
- including trade and other payables						113 524
TOTAL: EQUITY & LIABILITIES						**12 126 622**
Capital expenditures on tangible and intangible assets	-	188 870	101 665	44 988	(17 430)	318 093
Capital expenditures on tangible and intangible assets excluded from the segmentation						77 241
Amortization and depreciation	310	274 350	183 263	24 383	(1 157)	481 149
Amortization and depreciation excluded from the segmentation						1 084
Revaluation writed downs on recievables as at 30.09.2009	84 572	6 415	20 789	5 495	-	117 271

(all amounts in PLN '000, unless specified otherwise)

Segment reporting (cont'd)

Other segment reporting information as at 31 December 2008:

	Turnover	Distribution	Production	All other segments	Exclusions	Total
Tangible fixed assets	18 439	4 546 657	2 777 132	386 527	(29 356)	7 699 399
Trade and other receivables	381 685	332 397	309 470	146 052	(403 066)	766 538
Total:	400 124	4 879 054	3 086 602	532 579	(432 422)	8 465 937
Assets excluded from segmentation						3 519 980
- including tangible fixed assets						245 416
- including Trade and other receivables						15 876
TOTAL: ASSETS						**11 985 917**
Trade and other payables	508 560	244 077	280 232	109 904	(403 066)	739 707
Equity and liabilities excluded from segmentation						11 246 210
- including trade and other payables						126 582
TOTAL: EQUITY & LIABILITIES						**11 985 917**
Capital expenditures on tangible and intangible assets	-	410 282	212 272	20 184	(22 632)	620 106
Capital expenditures on tangible and intangible assets excluded from the segmentation						24 813
Amortization and depreciation	321	350 454	237 001	27 469	(4 059)	611 186
Amortization and depreciation excluded from the segmentation						20 178
Revaluation writed downs on recievables as at 30.09.2009	92 751	2 762	22 597	6 122	-	124 232

The segment revenue is that generated from the sales to external clients and transactions with other segments, which are directly attributable to a given segment and a relevant portion of the Group's revenue and are assignable on a reasonable basis.

The segment costs are those consisting of costs of goods sold to external clients and costs of transactions with other Group segments, which result from operations of a given segment and are directly attributable to a given segment with a relevant portion of the Group's costs and which are assignable on a reasonable basis.

Market prices applied to inter-segment transactions provide individual entities with a margin sufficient for independent functioning on the market. Prices specified in the Energy Law, i.e. the Energy Law of 10 April 1997 and relevant secondary legislation, apply in terms of trading in electricity and providing transmission services.

Supplementary reporting - geographical segments

The Group operates in one geographical region, in Poland, and therefore it does not distinguish geographical segments.

8. Property, plant and equipment

During the 9-month period ended 30 September 2009, the Group acquired property, plant and equipment for the total amount of PLN 388,116 thousand (during the period of 12 months ended 31 December 2008 it was PLN 756,296 thousand, including property, plant and equipment acquired by way of acquisition of subsidiaries in the amount of PLN 131,519 thousand).

During the 9-month period ended 30 September 2009, the Group sold and liquidated property, plant and equipment for the total net amount of PLN 8,470 thousand (during the period of 12 months ended 31 December 2008 it was PLN 12,615 thousand).

During the 9-month period ended 30 September 2009, the Group recognized additional revaluation write-downs on the carrying value of property, plant and equipment for the total amount of PLN 7,517 thousand (during the period of 9 months ended 30 September 2008 it was PLN 5,788 thousand).

During the 3-month period ended 30 September 2009, revaluation write-downs on the carrying value of property, plant and equipment did not change (during the period of 3 months ended 30 September 2008 the Group created additional revaluation write-downs on the carrying value of property, plant and equipment for the total amount of PLN 5,788 thousand).

As at 30 September 2009 the total revaluation write-downs on the carrying value of property, plant and equipment was PLN 15,301 thousand (as at 31 December 2008: PLN 7,784 thousand).

Impairment test (property, plant and equipment)

The Group carried out an impairment test of property, plant and equipment as at 30 June 2008. Based on the test, as at 30 June 2008 there was no impairment of property, plant and equipment related to distribution.

As a result of changes in the regulatory environment related to energy distribution, which were not consistent with the assumptions made when preparing the test as at 30 June 2008, as at 31 December 2008 the Group repeated impairment test for property, plant and equipment related to distribution.
The assumptions used for the analysis as at 30 June 2008 changed. The Group adjusted operating expenses projections to the new situation, considering actions taken by the Group in order to minimize the impact of the regulatory changes on the Group's profit/loss.

The methodology used in calculating the return on capital employed from the 2010 tariff year has been presented in the document "Methodology of determining the regulatory value of assets and return on capital employed". The document was approved by ENEA Operator Sp. z o.o. and the President of the Energy Regulatory Office. When calculating the return on capital employed the entity assumes a track to reach the full coverage of the regulatory value of assets. The length of the track will depend on the initial level of the regulatory value of assets, determined in line with the methodology presented in the aforementioned document. At present, works carried out by consulting firms related to estimating the regulatory value of assets in line with the new methodology, which is advantageous for the Company, have been finished. The reports have been positively assessed by certified auditors. All the materials have been submitted to the President of the Energy Regulatory Office, who, based on the materials received from all Distribution System Operators, will specify the final actual increase in the rate and the level of regulatory value of assets for calculation of the 2010 tariff.

Based on the test, as at 31 December 2008 there was no impairment of property, plant and equipment related to distribution.

9. Intangible assets

During the 9-month period ended 30 September 2009, the Group acquired intangible assets for the total amount of PLN 7,218 thousand (during the period of 12 months ended 31 December 2008 it was PLN 7,040 thousand, including intangible assets acquired in the course of acquisition of subsidiaries of PLN 540 thousand).

During the 9-month period ended 30 September 2009, the Group did not sell or liquidate intangible assets (during the period of 12 months ended 31 December 2008 the Group did not sell or liquidate intangible assets, either).

10. Investment property

During the 9-month period ended 30 September 2009, the Company did not acquire investment property (during the period of 12 months ended 31 December 2008 the Group acquired investment property for the amount of PLN 415 thousand).

(all amounts expressed in PLN '000, unless specified otherwise)

11. Investments in associated entities

During the 9-month period ended 30 September 2009, the Group did not acquire shares in associated entities (during the period of 12 months ended 31 December 2008 the Group acquired shares in associated entities for the total amount of PLN 185,164 thousand). The method of settlement of the acquisition of the entities has been described in note 15.

During the 9-month period ended 30 September 2009 and the 12-month period ended 31 December 2008 the Group did not sell any investments in associates.

12. Revaluation write-downs on trade and other receivables

	30.09.2009	31.12.2008
Opening balance of revaluation write-down on receivables	**124 232**	**123 818**
Created	21 579	17 306
Released	(23 071)	(15 426)
Applied	(5 469)	(1 466)
Closing balance of revaluation write-down on receivables	**117 271**	**124 232**

During the 9-month period ended 30 September 2009, the revaluation write-down on the carrying value of trade and other receivables decreased by PLN 6,961 thousand (during the period of 9 months ended 30 September 2008 the revaluation write-down decreased by PLN 1,860 thousand).

During the 3-month period ended 30 September 2009, the revaluation write-down on the carrying value of trade and other receivables increased by PLN 324 thousand (during the period of 3 months ended 30 September 2008 the revaluation write-down grew by PLN 808 thousand).

13. Inventories

As at 30 September 2009 the total revaluation write-downs on the carrying value of inventories was PLN 6,843 thousand (as at 31 December 2008: PLN 4,866 thousand).

During the 9-month period ended 30 September 2009, the revaluation write-down on the carrying value increased by PLN 1,977 thousand (during the period of 9 months ended 30 September 2008 the revaluation write-down decreased by PLN 203 thousand).

During the 3-month period ended 30 September 2009, the revaluation write-down on the carrying value decreased by PLN 52 thousand (during the period of 3 months ended 30 September 2008 the revaluation write-down increased by PLN 266 thousand).

(all amounts expressed in PLN '000, unless specified otherwise)

14. Investment portfolio

ENEA S.A. fulfilled the conditions necessary to release funds from the ESCROW account due to the issuance of shares at the WSE. A specialized financial institution professionally manages the funds which amounted to PLN 1 673 763 thousand as at 30 September 2009. In accordance with the Agreement, transferred funds are invested only in safe securities (treasury bills and bonds worth PLN 1,227,824 thousand) and deposits (in banks specified by the Company – PLN 445,938 thousand), as specified below:

Type of assets	Minimum share	Maximum share
Debt instruments with a surety or guarantee of the State Treasury and the National Bank of Poland	0%	100%
Bank deposits	0%	30%

The selected strategy is to maximize profit at minimum risk.

The investment portfolio is treated as financial assets measured at fair value through profit or loss.

15. Settlement of acquisition of new subsidiaries and associates

In December 2008 the Parent acquired two subsidiaries: Przedsiębiorstwo Energetyki Cieplnej Sp. z o. o. in Oborniki ("PEC Oborniki"), Miejska Energetyka Cieplna Sp. z o. o. in Piła ("MEC Piła") and two associates: Przedsiębiorstwo Energetyki Cieplnej w Śremie S.A. and Elektrociepłownia Białystok S.A. As at the date of preparation of these condensed interim consolidated financial statements, the Group had not completed the process of allocating the acquisition price to identifiable net assets acquired. Therefore, the Group decided to carry out the initially assumed settlement. The Capital Group assumed that the differences between the acquisition price of particular companies and net book value of assets related to the acquired shares results from the difference between the fair value of property, plant and equipment and their book value as at the date of acquiring particular companies. Any adjustments of the estimated values resulting from the end of the preliminary settlement will be made within 12 months of the date of acquisition.

The agreements on the acquisition of shares in PEC Oborniki and MEC Piła include irrevocable offers of shares repurchasing valid in the period of 6 and 5 years from the date of concluding the agreement, respectively. In these consolidated financial statements the Company disclosed financial liabilities resulting from the aforementioned options in the amount of PLN 28,226 thousand in correspondence with other capitals.

16. Share capital

The Extraordinary Shareholders' Meeting of 3 November 2008 passed a Resolution on an increase in the share capital of the Parent under the planned public offering of 103,816,150 new C series bearer shares with the face value of PLN 1 each. The share capital was increased from PLN 337,626,428 to PLN 441,442,578. The increase was registered in the National Court Register on 13 January 2009. On 30 January 2009 the new shares were registered in the National Depository for Securities.

17. Equity related to share-based payments and liabilities due to an equivalent of the right to acquire shares free of charge

On the basis of the Act the Commercialization and Privatization dated 30 August 1996 (Act on Commercialization and Privatization) employees of the ENEA Capital Group are entitled to acquire 15% of the shares in ENEA S.A. free of charge under the program ("program"). Employees eligible to acquire shares are persons who were employed in the ENEA SA Capital Group in time of the company commercialization (i.e. in 1993 and 1996) and filed a written declaration of will to acquire shares within 6 months of commercialization date. The Act on Commercialization and Privatization specifies the total number of shares to be transferred, but it does not stipulate the number of shares per one employee. The number of shares granted to particular employees will depend on the total number of years with the company including the number of years in the company before commercialization and after commercialization until the date of the sale of shares by the State Treasury.

According to IFRS 2, program costs should be recognized in the period when eligible employees performed work and the cost of work should be determined as at the Grant Date, i.e. as at the date when all significant conditions of granting shares to employees were determined.

The value of the employee shares program was determined by the Company based on the measurement of shares in ENEA S.A. as at the date of drawing up the financial statements for the financial years ended 31 December 2007, 31 December 2006 and 31 December 2005 included in the prospectus of ENEA S.A. The value of the program was determined at PLN 901 million. The ENEA SA Capital Group recognized the total program costs as the previous years adjustment in equity of the oldest period presented in these financial statements, i.e. as at 1 January 2005 and it did not revaluate the costs as at any of the dates ending a later financial period, i.e. 31 December 2005, 31 December 2006, 31 December 2007 and 31 December 2008.

According to the Management Board, the IFRS do not specify the principles of settling the program in line with the Act on Commercialization and Privatization. In particular they do not allow for unambiguous interpretation of a situation when the total number of shares due to staff employed was determined at the moment of commercialization, i.e. before the Grant Date, but the number of shares to be granted to particular employees was not specified. In such a case an employee working in subsequent periods, by the Grant Date, is likely to be granted a higher number of shares. This, however, will not take place due to the issue of additional shares but as a result of the reduction of the number of shares for other staff members.

Moreover, according to the Management Board, the key purpose of the program was to grant employees compensation for work before the date of commercialization of the enterprise (i.e. in the past). Consequently, the total fixed number of shares for employees was determined and could not be changed with relation to work in subsequent periods.

Considering the above, the Management Board of ENEA SA decided that the program value would not be changed. As a result, the value of the program as at 30 September 2009 stood at PLN 921 million.

(all amounts expressed in PLN '000, unless specified otherwise)

Pursuant to the Act of 7 September 2007 on the acquisition of shares from the State Treasury as a result of the energy sector consolidation process, the Eligible Employees of "Kozienice" S.A. were supposed to place a declaration of the intention to exchange the equivalent for the right to acquire shares in ENEA S.A. free of charge by 18 January 2008. Once the declarations and the result of the complaint procedure have been examined, the value of shares to be settled in the form of an equivalent was PLN 291,127 thousand (PLN 514,920 thousand as at 31 December 2007). Exchange of the value of the equivalent for an allotment certificate worth PLN 224,042 thousand was disclosed under the Group's capital under "Share-based capital".

As at 30 September 2009 part of the equivalent was paid to the Eligible Employees of Elektrownia "Kozienice" S.A. As at 30 September 2009 other liabilities due to the equivalent amounted to PLN 424 thousand (as at 31 December 2008 the liability was PLN 163,799 thousand).

18. Loans and borrowings

	30.09.2009	**31.12.2008**
	Carrying value	**Carrying value**
Long-term		
Bank loans	117 005	151 310
Borrowings	8 928	1 475
	125 933	**152 785**
Short-term		
Bank loans	39 258	52 031
Borrowings	8 572	574
	47 830	**52 605**
Total	**173 763**	**205 390**

During the 9-month period ended 30 September 2009, the net decrease in the carrying value of loans and borrowings was PLN 31,627 thousand (during the period of 12 months ended 31 December 2008 the carrying value of loans and borrowings decreased by PLN 48,230 thousand).

19. Settlement of income due to subsidies and connection fees

During the 9-month period ended 30 September 2009, the Group obtained subsidies and connection fees in the total amount of PLN 61,596 thousand (during the period of 9 months ended 30 September 2008 it was PLN 59,507 thousand).

During the 3-month period ended 30 September 2009, the Group obtained subsidies and connection fees in the total amount of PLN 19,996 thousand (during the period of 3 months ended 30 September 2008 it was PLN 19,125 thousand).

During the 9-month period ended 30 September 2009, the Group settled income due to subsidies and connection fees in the total amount of PLN 9,680 thousand (during the period of 9 months ended 30 September 2008 it was PLN 9,356 thousand).

(all amounts expressed in PLN '000, unless specified otherwise)

During the 3-month period ended 30 September 2009, the Group settled income due to subsidies and connection fees in the total net amount of PLN 3,502 thousand (during the period of 3 months ended 30 September 2008 it was PLN 2,084 thousand).

20. Deferred income tax

Changes in the deferred tax liability (considering the net-off of asset and liability):

	30.09.2009	31.12.2008
Opening balance	123 480	170 747
Amount charged/(credited) to profit	(14 633)	(46 525)
Change due to acquistion of subsidiaries	-	(484)
Amount charged/(credited) to consolidated income	(5 919)	(258)
Closing balance	**102 928**	**123 480**

During the 9-month period ended 30 September 2009, the Group's profit before tax was credited with PLN 14,633 thousand as a result of a decrease in the deferred tax liability (during the period of 9 months ended 30 September 2008 the Group's profit before tax was credited with PLN 51,336 thousand due to a decrease in the liability).

During the 3-month period ended 30 September 2009, the Group's profit before tax was credited with PLN 27,706 thousand as a result of a decrease in the deferred tax liability (during the period of 3 months ended 30 September 2008 the Group's profit before tax was credited with PLN 8,338 thousand due to a decrease in the deferred tax liability).

21. Certificates of origin

	30.09.2009	31.12.2008
Certificates of origin	(91 298)	(57 364)
Advance payments for certificates of origin	(1 961)	(2 985)
Provision for costs of redemption of certificates of origin	131 399	161 752
Provision for certificates of origin	**38 140**	**101 403**

22. Provisions for liabilities and other obligations

Provision for estimated losses resulting from claims for damages

	30.09.2009	31.12.2008
Opening balance	**81 028**	**62 902**
Increase in provisions	8 049	54 681
Provisions applied	(10 695)	-
Provisions decreased	(2 110)	(36 555)
As at the balance sheet date	**76 272**	**81 028**

(all amounts expressed in PLN '000, unless specified otherwise)

Provisions for liabilities are determined at justified, reliably estimated amount. Individual provisions are created for projected losses related to a court action brought against the Group. The provisions are created in the amount of the claim considering the probability of losing the case based on a legal opinion. The cost of provisions is recognised under other operating expenses. The description of claims and relevant contingent liabilities have been presented in notes 28.2, 28.4, 28.5 and 28.6.

During the 9-month period ended 30 September 2009, the provision for projected losses due to compensation proceedings decreased by PLN 4,756 thousand (during the period of 9 months ended 30 September 2008 it increased by PLN 9,875 thousand).

During the 3-month period ended 30 September 2009, the provision for projected losses due to compensation proceedings decreased by PLN 2,177 thousand (during the period of 3 months ended 30 September 2008 it increased by PLN 16,138 thousand).

Other provisions

	30.09.2009	31.12.2008
Opening balance	**36 909**	**18 761**
Increase in provisions	42 523	24 441
Provisions decreased	-	(6 293)
Release of unused provision	(1 774)	-
As at the balance sheet date	**77 658**	**36 909**

During the 9-month period ended 30 September 2009, other provisions grew by PLN 40,749 thousand (during the period of 9 months ended 30 September 2008 they grew by PLN 40,257 thousand).

During the 3-month period ended 30 September 2009, other provisions grew by PLN 14,370 thousand (during the period of 3 months ended 30 September 2008 they grew by PLN 17,439 thousand).

Provision for land reclamation

After closing or filling a slag and ash dump, the Group is obliged to carry out appropriate land reclamation. As the Group has large unfilled dumps, land reclamation is planned for 2060. Future estimated costs of land reclamation were discounted to their current value, using a 6.34% discount rate. Provisions for land reclamation is reviewed as at 31 December and 30 June, unless significant changes in estimation assumptions occur.
As at 30 September 2009 the provision amounted to PLN 6,942 thousand (as at 31 December 2008 it was PLN 8,716 thousand).

Provision for the cost of disposal and storing ash and slag mixture

The Group generates two types of wastes in the process of burning coal: ash and ash and slag mixture. As the Group incurs costs related to mixture disposal, it creates an appropriate provision. Future estimated costs of disposing or storing ash and slag mixture were discounted to their current value, using a 6.34% discount rate. Provision for cost of disposing and storing ash and slag mixture is reviewed as at 31 December and 30 June, unless significant changes in estimation assumptions occur.

As at 30 September 2009 the provision amounted to PLN 5,514 thousand (as at 31 December 2008 it was PLN 2,721 thousand).

Provision for purchasing CO_2 emission rights

As at 30 September 2009 the provision determined based on the market price of CO2 emission rights amounted to PLN 63,048 thousand (as at 31 December 2008 it was PLN 23,635 thousand).

23. Dividend

On 30 June 2009 the General Shareholders' Meeting of ENEA S.A. adopted a resolution No. 4 concerning net profit distribution for the financial period from 1 January 2008 to 31 December 2008 under which the amount of PLN 203,064 thousand was allocated for payment of dividend to the shareholders (dividend per share was PLN 0.46). The dividend was paid on 31 August 2009.

Pursuant to the Act on profit-sharing payments in companies wholly owned by the State Treasury of 1 December 1995, the Parent made quarterly profit-sharing payments (defined as gross profit less the amount of current income tax) in the amount of 15%, which is presented as dividend payment. The Company ceased to be subject to the above obligation at the end of the month in which the capital increase resulting from the public issuance of shares conducted in 2008 (13 January 2009) was registered, i.e. since 1 February 2009.

Profit-sharing payments for the period from 1 January 2009 to 31 January 2009 equalled PLN 218 thousand.
Profit-sharing payments for the period from 1 January to 30 September 2008 amounted to PLN 12,187 thousand. The Company reported the adjustment of the mandatory profit-sharing payment for 2007 in the amount of PLN 2,229 thousand.
Profit-sharing payments for the period from 1 July to 30 September 2008 amounted to PLN 5,782 thousand.

24. Related party transactions

The companies from the Capital Group subject to consolidation conclude the following related party transactions:

- The Capital Group's constituent entities subject to consolidation – transactions are eliminated at the consolidation stage;
- Transactions concluded between the Group and Members of the Group's Management are divided into three categories:
  - resulting from employment contracts with Members of the Management Board of the Parent related to appointment of the Members of the Supervisory Board;
  - resulting from borrowings from the Company's Social Benefit Fund granted to Members of the Management Board of the Parent and Supervisory Board employed in ENEA S.A.;
  - resulting from civil–law agreements;
- Transactions with entities, whose shares are held by the State Treasury

(all amounts expressed in PLN '000, unless specified otherwise)

Transactions with members of the Group's Management and Supervisory Bodies

Lp.	Tytuł	Management Board 01.01.2009 - 30.09.2009	Management Board 01.01.2008 - 30.09.2008	Supervisory Board 01.01.2009 - 30.09.2009	Supervisory Board 01.01.2008 - 30.09.2008
1.	Salaries based on employment contract	1 141	702	-	-
2.	Remuneration related to the appointment to management or supervisory bodies	-	-	126	259
3.	Remuneration related to positions in the supervisory boards of subsidiaries	251	114	-	-
4.	Remuneration due to other employee benefits (reduced payment for electricity)	44	125	-	-
	TOTAL	**1 436**	**941**	**126**	**259**

Members of the Management Board and Supervisory Board are subject to the provisions of the Act of 3 March 2000 on remuneration of persons managing certain legal entities (companies with the majority interest of the State Treasury). Pursuant to the Act, the maximum monthly remuneration cannot exceed six average monthly remunerations in the enterprise sector excluding profit bonuses in Q4 of the preceding year published by the President of the Central Statistical Office. The amount of the annual bonus cannot exceed three average monthly remunerations in the year preceding bonus awarding.

Transactions related to borrowings from the Company's Social Benefits Fund:

Lp.	Authoritiy	Balance as at 01.01.2009	Granted from 01.01.2009	Repayments by 30.09.2009	Balance as at 30.09.2009
1.	Management Board	18	-	(18)	-
2.	Supervisory Board	-	20	(2)	**18**
	Total	**18**	**20**	**(20)**	**18**

Lp.	Authoritiy	Balance as at 01.01.2008	Granted from 01.01.2008	Repayments by 31.12.2008	Balance as at 31.12.2008
1.	Management Board	27	-	(9)	**18**
2.	Supervisory Board	6	-	(6)	**-**
	Total	**33**	**-**	**(15)**	**18**

Other transactions resulting from civil-law agreements concluded between the Parent and Members of the Company's Bodies relate only to private use of company's cars by Members of the Management Board of ENEA S.A.

The Group also concludes business transactions with the entities of the central and local administration and entities controlled by the State Treasury of the Republic of Poland.

The transactions concern:

- purchase of coal, electricity and property rights resulting from certificates of origin as regards renewable energy and energy produced in cogeneration with heat, transmission and distribution services provided by the Group to companies whose shares are held by the State Treasury,

- sale of electricity, distribution services, connection to the network and other related fees, provided to the central and local administration bodies (domestic sale) and entities whose shares are held by the State Treasury (domestic wholesale and retail – end users),

These transactions are concluded in line with the arm's length principle and their terms and conditions do not differ from those applied in transactions with other entities. The Group does not keep a register, which would allow for aggregating the values of all transactions with the state entities and entities, whose shares are held by the State Treasury.

25. Long-term contracts on the sale of electricity (LTC)

As the European Commission recognized long-term contracts on the sale of power and electricity (LTC) concluded with a state entity PSE S.A. as disallowed public aid, the Polish Parliament passed an appropriate act in order to eliminate such contracts. Pursuant to provisions of the Act on principles of funding costs incurred by producers following early termination of long-term contracts on sale of power and energy of 29 June 2007 ("LTC Termination Act"), since 1 April 2008 the Group (Elektrownia "Kozienice" S. A.) has been entitled to compensation for stranded costs resulting from early termination of long-term contracts. Based on the aforementioned Act, the Group will be entitled to compensation until 2014.

In 2008 Elektrownia "Kozienice" S. A. received advance payments for stranded costs of PLN 93,132 thousand from Zarządca Rozliczeń S. A. The amount of PLN 80,976 thousand was recognized in the 2008 financial statements as revenue due to compensation. On 5 August 2009 Elektrownia "Kozienice" S.A received a Decision of the President of the Energy Regulatory Office dated 31 July 2009 determining the amount of annual adjustment of stranded costs (i.e. advance payments made by Zarządca Rozliczeń S. A.) for Elektrownia "Kozienice" S. A. for the year 2008 Pursuant to the Decision, the amount of the annual adjustment of stranded costs (i.e. the amount of advance payments to be returned to Zarządca Rozliczeń S.A.) was PLN 89,537 thousand, which implies that the revenue due to compensation for 2008 is lower than the amount of PLN 77,381 thousand recognized by Elektrownia "Kozienice" S.A. in its financial statements for the year 2008 (and thus, in the consolidated financial statements of the ENEA Capital Group).

According to the Management Board of Elektrownia "Kozienice" S.A. and ENEA S.A. the assumptions made by the President of the Energy Regulatory Office in his Decision and the interpretation of the Act on principles of funding costs incurred by producers following early termination of long-term contracts on sale of power and energy of 29 June 2007 are often incorrect or inappropriately applied. Consequently, on 19 August 2009 Elektrownia "Kozienice" S.A. filed an appeal to the Regional Court in Warsaw - Court of Competition and Consumer Protection. The appeal also contained a motion for suspension of decision enforcement until the case is decided. On 23 September 2009, the Regional Court in Warsaw - Court of Competition and Consumer Protection issued a decision by which it suspended enforcement of the appealed decision over the amount of PLN 44,768 thousand and dismissed the motion for the further amount. Therefore, on 30 September 2009, the Management Board of the Company decided to return the advance payment in the amount resulting from the Decision of the President of the Energy Regulatory Office which had not been suspended by the Court.

(all amounts expressed in PLN '000, unless specified otherwise)

On 2 October 2009 Elektrownia "Kozienice" S. A. lodged a complaint against the above decision to the Court of Appeal in Warsaw, VI Civil Division.

As at the date of preparation of these condensed interim consolidated financial statements it was not possible to clearly specify the result of appealing against the Decision. The Management Board of Elektrownia "Kozienice" S.A. decided to recognize the adjustment of revenue due to compensation of PLN 27,035 thousand disclosed in 2009 and recognize the adjustment of revenue due to compensation of PLN 77,380 thousand disclosed in 2008. Both the above adjustments have been recognized in the statement of comprehensive income for the period from 1 January to 30 September 2009 under sales revenue (as the amount decreasing sales revenue).

26. Future liabilities due to contracts concluded as at the balance sheet date

Contractual obligations incurred as at the balance sheet date, not recognized in the balance sheet:

	30.09.2009	**31.12.2008**
Acquisition of property, plant and equipment	514 564	370 857
Acquisition of Intangible assets	14 822	8 055
	529 386	**378 912**

27. Explanations of the seasonal and cyclical nature of the Capital Group's business

Sales of electricity during the year are subject to seasonal fluctuations. They increase during the winter months and decrease in summer. This depends on the temperature and the length of the day. The extent of fluctuations depends on low temperature and shorter days in winter and higher temperature and longer days in summer. Seasonal sales of electricity apply largely to small clients (45.51% of the sales value), not to the industrial sector.

28. Contingent liabilities and proceedings before court, body competent to conduct arbitration or public administration body

28.1. Guarantees for loans and borrowings and other sureties granted by the Company and its subsidiaries

The Company or its subsidiaries did not grant any guarantees for loans or borrowings or sureties during the reporting period.

28.2. Pending proceedings before common courts of law

Actions brought by the Group

Actions which ENEA S.A. and ENEA Operator Sp. z o.o. brought to common courts of law refer to claims for receivables due to provision of electricity (the so–called electricity cases) and claims for other receivables - illegal consumption of electricity, connections to the network and other specialized services (the so-called non-electricity cases).

Most actions which Elektrownia "Kozienice" brought to common courts of law refer to claims for receivables due to default under freight forwarding contracts.

As at 30 September 2009 there were 7,794 cases pending before common courts of law which have been brought by the Group for the total amount of PLN 42,622 thousand (as at 31 December 2008 there were 8,277 cases for the total amount of PLN 28.088 thousand).

None of the cases can significantly affect the Group's financial profit/loss.

Actions brought against the Group

Actions against the Group are brought both by natural and legal persons. They mainly refer to such issues as compensation for interrupted delivery of electricity, identification of illegal electricity consumption and compensation for the Group's use of real property where electrical devices are situated. The Group considers actions concerning non-contractual use of real property not owned by the Group as particularly important (note 28.5).
There are no material court proceedings against Elektrownia Kozienice S.A.

As at 30 September 2009 there were 349 cases pending before common courts of law which have been brought against the Group for the total amount of PLN 22,698 thousand (as at 31 December 2008 there were 251 cases for the total amount of PLN 18,043 thousand). Provisions related to the court cases have been presented in note 22.

28.3. Arbitration proceedings

As at 30 September 2009 there were no pending proceedings before competent arbitration bodies.

28.4. Proceedings before public administration bodies

Pursuant to the decision of the President of the Office of Competition and Consumer Protection of 12 September 2008 which closed the proceedings for charging electricity recipients with a double subscription fee for January 2008, ENEA S.A. was obliged to pay a fine of PLN 160 thousand. The Company appealed against the decision on 30 September 2008. On 31 August 2009 the Regional Court in Warsaw – Court of Competition and Consumer Protection reduced the fine to PLN 10 thousand.

Pursuant to the decision of the President of the Office of Competition and Consumer Protection of 30 September 2008 which closed the proceedings for abuse of its market position by way of not keeping deadlines related to connection decisions and determining the impact of the designed wind power station on the electricity system, ENEA Operator Sp. z o.o. was obliged to pay a fine amounting to PLN 11,626 thousand. ENEA Operator Sp. z o.o. lodged an appeal against the decision. As at the date of preparation of these condensed interim consolidated financial statements the appeal had not been examined. As at 30 September 2009, the Group established a provision in the total amount of the aforementioned fine.

Pursuant to the decision of 27 November 2008 No. DPE-451-206(4)/2688/2008MOS, the President of the Energy Regulatory Office, following administrative proceedings, imposed a fine of PLN 7,594 thousand, i.e. 0.2771% of revenue from licensed operations generated in 2006 due to non-fulfilment of the obligation specified in Article 9a clause 8 of the Energy Law to purchase offered electricity produced in cogeneration with production of heat in the energy sources connected to the network and located in Poland. On 17 December 2008, ENEA S. A. via the Energy Regulatory Office appealed to the Regional Court in Warsaw - Court of Competition and Consumer Protection justifying that ENEA S.A. exercised due care provided for in the provisions of law to meet the obligation specified in Article 9a.8 of the Energy Law.A provision for the total amount of the aforementioned fine was recognized in these condensed interim consolidated financial statements.

On 7 July 2009, the President of the Energy Regulatory Office approved the heat tariff for Elektrownia "Kozienice" S.A. for the period until 31 August 2010.
Due to the nature of the Group's business, there were many other proceedings before the public administration bodies as at 30 September 2009.

Vast majority of the proceedings was instigated upon request of the Group which has applied to relevant administration bodies for:

- instigation of administrative enforcement in order to recover receivables for illegal consumption of electricity;
- building permits with respect to new facilities and modernization of the existing ones;
- permit for occupation of a road lane by electricity equipment;

- determination of fees for perpetual usufruct of land;
- designation of land for electrical devices.

Some of the proceedings are complaints submitted to government and local government administration bodies or administrative courts with respect to decisions issued in the above cases.
The result of these proceedings is unlikely to have significant impact on the Group's net profit.

On 16 March 2009, as a result of an inspection of the Supreme Chamber of Control (NIK) related to *Restructuring of the energy sector since 2005 and energy network security*, the Company received a post-audit statement. On 23 March 2009 the Management Board of ENEA S.A. presented formal objections as regards non-fulfilment due to occurrence of the requirements specified in the Act of 23 December 1994 on the Supreme Chamber of Commerce and incompatibilities of findings with the facts and findings specified in the post-audit statement and reservations concerning assessment included therein. On 20 April 2009 the Commission of Appeal of the Supreme Chamber of Control adopted a Resolution to close the appeal proceedings. It was approved by the President of the Supreme Chamber of Control on 22 May 2009. In a letter dated 10 June 2009, the Management Board of ENEA S.A. informed the Supreme Chamber of Control of the way the findings and comments had been applied in practice.

Due to the nature of operations of ENEA Operator Sp. z o.o. (operations in the regulated market of the monopolistic nature) there have been numerous court actions brought against the company by the President of the Energy Regulatory Office and the President of the Office for Competition and Consumer Protection upon request of the electricity buyers supplied by the Group.
The President of the Energy Regulatory Office, as a key central administration body established to regulate operations of companies in the energy sector settles disputes related to a refusal to conclude agreements on connecting to the network or providing transmission services or to the content of thereof.

As at 30 September 2009 the President of the Energy Regulatory Office carried out a series of explanatory and administrative proceedings against the Group.
The result of these proceedings is unlikely to have significant impact on the Group's net profit.

28.5. Risk related to the legal status of properties used by the Group

The risk related to the legal status of the properties used by the Group results from the fact that the Group does not have all legal titles to use land, where transmission networks and related devices are located. The Group may have to incur costs related to non-contractual use of properties in future.
Considering the legal status problems there is a risk of additional costs related to compensation claims for non-contractual use of land, lease rental or, rarely, claims related to the change of location (restoring land to its original state).

Claims against the Group are of the nature of claims for payment (compensation for non-contractual use of properties, impairing the value of properties, lost benefits) and claims for discontinuing infringement of the ownership rights (demand to remove devices).

Decisions related to these issues are of significant importance, as they considerably affect the Group's strategy towards persons who lodged out-of-court claims related to devices located on their land in the past and the approach to the legal status of devices in case of new investments.

The Group established a provision for all claims lodged by owners of properties located near transmission networks and devices based on most appropriate estimates of expenditures necessary to settle the claims assumed by the Management Board. As at 31 December 2008, the Management Board of ENEA S.A. examined the submitted claims which had not been brought to court. As a result of the examination, the estimates were changed and the provision for claims of persons holding real property due to non-contractual use of land was partially released (Note 22).

The Group does not establish provision for possible unlodged claims of owners of land which is used non-contractually. Possible claim amounts may be significant for the Group, considering the area of non-contractually used land, where the Group's transmission networks or related devices are located. The Group does not keep any record or has no knowledge concerning the legal status of land, therefore is it unable to reliably estimate the maximum amount of possible claims arising from non-contractual use of land.

28.6. Risk related to participation in costs incurred due to the use of woodland managed by National Forests for the needs of electricity lines

As at 30 September 2009 there were no regulations in this respect and the Group did not create provisions for possible claims due to the use of woodland managed by National Forests for the needs of the Group's electricity lines. On 29 November 2006 a meeting initiated by the Minister of Environment was held among representatives of National Forests, the Ministry of State Treasury, PSE-Operator Sp. z o.o. and Polskie Towarzystwa Przesyłu i Rozdziału Energii Elektrycznej representing distribution companies. The National Forests' proposition to conclude agreements on the lease of land where the lines are located was not accepted. Consequently, a more general solution based on legislative changes is required. Currently, it is not possible to estimate a provision for participating in the costs of the National Forests related to property tax for the land of the State Treasury. Possible claims may be significant, considering the area of land.

Regardless of the aforementioned actions aimed at general regulation of the legal status of land owned by National Forests, individual forest district offices lodged claims against the Group due to non-contractual use of land by the Group. The claims have been accounted for in the provision presented in Note 22.

29. Damages resulting from weather conditions

In April 2008 the electricity line in the Szczecin Distribution Branch area was overcharged due to disadvantageous weather conditions. Consequently, electricity supply was discontinued for several hours. ENEA Operator Sp. z o.o. and PSE-Operator S.A. determined that the failure resulted from force majeure. Separate proceedings are carried out by insuring companies providing liability insurance for damages caused by the company to third parties. The purpose of the proceedings is to confirm the reasons for the aforementioned damages.

ENEA Operator Sp. z o.o. presented 21 claims related to property damages (damaging 110 kV, medium-voltage and low-voltage lines and medium-voltage/low-voltage transformer stations). The estimated value of damages is PLN 7,265 thousand. Pursuant to insurance policies of ENEA Operator Sp z.o.o., the insured's deductible in property damages is 20%.
At the same time, by the date of approving these condensed interim consolidated financial statements 176 third-party claims for the total amount of PLN 4,233 thousand were lodged to the insuring company of ENEA Operator Sp. z o.o. The claims were related to damaged radio and television equipment and household appliances, damaged foodstuffs and property damage related to removing the effects of the failure.

Consequently, the President of Energy Regulatory Office undertook appropriate actions in order to explain the circumstances and causes of the failure. He requested ENEA Operator Sp. z o.o. to present detailed information concerning this event, the causes, the course and scope of the failure and its consequences for the national electricity system as well as information on the technical condition of damaged devices and electricity lines. Moreover, he requested the company to specify actions taken in order to repair the failure and remove its effects.

Information obtained will be analysed in order to determine if the Company complied with its obligation to maintain equipment, installations and networks in an appropriate condition ensuring continuous and safe electricity supplies in line with applicable quality standards. If it is determined that the Company did not comply with these requirements, the entity may be fined in accordance with Article 56 clause 1 point 2 of the Energy Law.

30. Opening of negotiations concerning acquisition of Zespół Elektrowni Pątnów-Adamów-Konin S.A.

In 2008 the Parent started negotiations with the receiver in bankruptcy of Elektrim S.A. concerning the acquisition of 45.95% of shares in Zespół Elektrowni Pątnów-Adamów-Konin S.A. (ZE PAK). The Group will place the offer after a number of conditions have been met. They include satisfactory results of the legal, financial, tax, technical, environmental and operational review of ZE PAK and its capital group, negotiating all conditions of the sales agreement and positive settlement of the claims with respect to shares in ZE PAK filed by debtors of Elektrim S.A. As at the date of preparation of these condensed interim consolidated financial statements no binding decisions were taken.

31. Actions aimed at acquiring a coal mine

The Company has taken steps aimed at acquiring an organized part of a coal mine – Kopalnia Węgla Kamiennego "Brzeszcze – Silesia" Ruch II Silesia and has made an informal acquisition offer. As at the date of preparation of theses consolidated financial statements, the Management Board of ENEA S.A. decided to withdraw from acquisition of a part of Kompania Węglowa S. A. named Ruch II Silesia KWK „Brzeszcze-Silesia". ENEA S. A. does not exclude further talks and defining new frameworks of cooperation with Kompania Węglowa which is the owner of the KWK Silesia mine. In the case of the KWK Silesia mine the decision making process is in progress and ENEA S.A. is considering other forms of investments.

32. Changes in excise tax

On 1 March 2009, the amendment of the Excise Tax Act of 23 January 2004 came into force. Polish excise tax regulations had to be amended in order to comply with the EU laws. Based on the amendment, the excise tax obligation arises when electricity is supplied to the final buyers (earlier at the time of producing electricity). Consequently, since 1 March 2009 ENEA S.A. has been obliged to pay excise tax, while before it was paid by Elektrownia "Kozienice" S.A.

On 12 February 2009 the European Court of Justice passed a verdict stating that the Polish regulations determining the excise duty point in the sale of energy did not comply with the regulations of the EU Energy Directive.

In relation to the said arrangements, in February 2009 Elektrownia „Kozienice" S.A. filed a motion to the Head of the Radom Tax Office for a refund of overpaid excise duty in the amount of PLN 694,574 thousand for the period from January 2006 to December 2008. On 26 August 2009 the Head of the Customs Office in Radom issued decisions which did not find an overpayment for the 6 months of 2006 of PLN 116,158 thousand and refused to refund it. The Company appealed against the decisions on 14 September 2009. As the refund is not certain, the requested excise tax refund was not included in these consolidated financial statements.

The excise tax accrued for the period from 1 March 2009 to 30 September 2009 at ENEA S.A. amounted to PLN 158,846 thousand.

33. Post-balance sheet events

33.1. Negotiations concerning acquisition of shares

On 13 July 2009 the Minister of Treasury in Warsaw, acting on behalf of the State Treasury based on the Act on commercialisation and privatisation (Dz. U. of 2002 No. 171, item 1397, as amended) on detailed procedure of selling shares of the State Treasury (Dz. U. of 2009 No. 34, item 264), invited all interested parties to negotiations concerning the acquisition of 295,987,473 shares with the face value of PLN 1 each, owned by the State Treasury and constituting 67.05% of the share capital of ENEA S.A. in Poznań.
Written answers to the public invitation to negotiations concerning the acquisition of shares of the Company by Potential Investors who received the Memorandum were submitted by 14 August 2009. The only Company which replied was RWE AG.
On 14 October 2009 the Ministry of Treasury stated that RWE AG will not submit a binding proposal for acquisition of shares in ENEA. S. A. Therefore, on 15 October 2009 the proceedings on disposal of the 67.5% shares in ENEA S.A. held by the State Treasury came to an end.

33.2. Share capital increase of a subsidiary

On 23 October 2009 the Extraordinary Shareholders' Meeting of Niepubliczny Zakład Opieki Zdrowotnej Centrum Uzdrowiskowe ENERGETYK Sp. z o. o. with the registered office in Inowrocław decided to increase the company's share capital by PLN 3,250 thousand to PLN 15,738 thousand, by way of creating 6,500 new shares with the face value of PLN 500 each. All new shares in the company's share capital will be assumed and covered with cash by ENEA S.A.

(all amounts in PLN '000, unless specified otherwise)

Selected individual financial data

	in PLN '000		in EUR '000	
	9 months ended 30 September 2009	**9 months ended 30 September 2008**	**9 months ended 30 September 2009**	**9 months ended 30 September 2008**
Net sales revenue	5 208 019	4 312 426	1 183 838	1 259 205
Profit/loss on operating activities	117 762	17 186	26 769	5 018
Profit/loss before tax	299 850	118 927	68 159	34 726
Net profit/loss of the reporting period	257 587	105 664	58 552	30 853
Net cash flows from operating activities	(322 408)	329 585	(73 287)	96 237
Net cash flows from investing activities	(1 606 441)	54 429	(365 161)	15 893
Net cash flows from financing activities	(182 916)	(87 294)	(41 579)	(25 489)
Total net cash flows	(2 111 765)	296 720	(480 027)	86 641
Weighted average number of shares	441 442 578	347 253 939	441 442 578	347 253 939
Net profit per share (in PLN per one share)	0.58	0.30	0.13	0.09
Diluted profit per share (in PLN / EUR)	0.58	0.30	0.13	0.09

	Balance as at 30 September 2009	**Balance as at 31 December 2008**	**Balance as at 30 September 2009**	**Balance as at 31 December 2008**
Total assets	10 825 338	11 093 233	2 563 666	2 658 718
Total liabilities	1 040 718	1 380 315	246 464	330 820
Non-current liabilities	117 880	124 163	27 916	29 758
Current liabilities	922 838	1 256 152	218 547	301 062
Equity	9 784 620	9 712 918	2 317 203	2 327 897
Share capital	588 018	588 018	139 255	140 930
Book value per share (in PLN / EUR)	22.17	22.00	5.25	5.27
Diluted book value per share (in PLN / EUR)	22.17	22.00	5.25	5.27

The above financial data for Q3 2009 and 2008 were translated into EUR in line with the following principles:

- individual assets and liabilities - as per the average exchange rate at 30 September 2009– PLN/EUR 4.2226 (as at 31 December 2008 - PLN/EUR 4.1724);
- individual items from the income statement and the cash flow statement - as per the arithmetic mean of the average exchange rates determined by the National Bank of Poland as at the last day of each month of the financial period from 1 January to 30 September 2009 - PLN/EUR – 4.3993 (for the period from 1 January to 30 September 2008 – PLN/EUR 3.4247).

INDEPENDENT AUDITOR'S REPORT ON THE REVIEW OF THE CONDENSED INTERIM FINANCIAL STATEMENTS FOR THE PERIOD FROM 1 JANUARY 2009 TO 30 SEPTEMBER 2009

To the Supervisory Board and Management Board of ENEA S.A.

We have reviewed the attached condensed interim financial statements of ENEA S.A. (hereinafter: "the Company") with registered office in Poznań, ul. Nowowiejskiego 11, including:

- balance sheet prepared as at 30 September 2009, with total assets and equity plus liabilities of PLN 10,825,338 thousand;
- statement of comprehensive income for the period from 1 January 2009 to 30 September 2009, disclosing net profit and comprehensive income of PLN 257,587 thousand;
- statement of changes in equity for the period from 1 January 2009 to 30 September 2009, disclosing an increase in equity of PLN 71,702 thousand;
- cash flow statement for the period from 1 January 2009 to 30 September 2009, showing a cash outflow of PLN 2,111,765 thousand;
- additional information and explanations.

The Management Board of ENEA S.A. is responsible for fairness, correctness and clarity of information contained in the condensed interim financial statements drawn up in compliance with International Financial Reporting Standards applicable to interim financial reporting, as approved by the European Union ("IAS 34"). Our responsibility was to review these condensed financial statements.

We have conducted the review in line with legal regulations valid in Poland and auditing standards issued by the National Council of Statutory Auditors. The standards require to plan and conduct the review in such a way as to obtain reasonable assurance that the condensed interim financial statements are free of material misstatements. Our review was carried out mainly based on analysis of data included in the condensed interim financial statements, insight into the accounting records and information provided by the Management Board and the financial and accounting personnel of the company. The scope and methodology of a review of condensed interim financial statements significantly differ from an audit, which is aimed at expressing an opinion on the condensed interim financial statements, therefore, no such opinion is being issued.

Our review did not identify a need to introduce significant changes to the attached condensed interim financial statements so that they would provide a fair and clear view of the financial and economic situation of ENEA S.A. as at 30 September 2009 and its financial result for the period from 1 January to 30 September 2009 in line with IAS 34.

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Marcin Samolik
Certified auditor:
No. 10066

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Represented by

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Deloitte Audyt Sp. z o.o.
Al. Jana Pawła II 19, Warszawa
Entity entitled to audit financial
statements entered under
number 73 on the list kept by
the National Council of Statutory Auditors

Warsaw, 16 November 2009

Condensed interim individual financial statements of ENEA S.A. for the period from 1 January to 30 September 2009

Poznań, 16 November 2009

Index to the condensed interim individual financial statements

These condensed interim individual financial statements have been prepared in accordance with the International Financial Reporting Standards (IFRS), IAS 34 Interim Financial Reporting, approved by the European Union (EU) and by the Management Board of ENEA S.A.

Members of the Management Board

Chairman of the Management Board	**Maciej Owczarek**	**…………………………………**
Member of the Management Board	**Piotr Koczorowski**	**…………………………………**
Member of the Management Board	**Sławomir Jankiewicz**	**………………………………....**
Member of the Management Board	**Marek Malinowski**	**…………………………………**
Member of the Management Board	**Tomasz Treider**	**………………………………….**

Poznań, 16 November 2009

(all amounts in PLN ‘000, unless specified otherwise)

Individual balance sheet

	Balance as at	
	30.09.2009	**31.12.2008**
ASSETS		
Non-current assets		
Property, plant and equipment	209 037	212 361
Perpetual usufruct of land	1 758	990
Intangible assets	705	982
Investments in subsidiaries, associates and co-subsidiaries	7 810 519	7 780 241
Deferred tax assets	34 252	39 701
Financial assets available for sale	3 866	3 866
Financial assets measured at fair value through profit or loss	1 167	1 033
	8 061 304	**8 039 174**
Current assets		
Trade and other receivables	880 144	732 673
Current income tax receivables	506	-
Financial assets measured at fair value through profit or loss	1 673 763	-
Cash and bank balances	209 621	2 321 386
	2 764 034	**3 054 059**
TOTAL ASSETS	**10 825 338**	**11 093 233**

(all amounts in PLN '000, unless specified otherwise)

	Balance as at	
TOTAL EQUITY AND LIABILITIES	**30.09.2009**	**31.12.2008**
EQUITY		
Share capital	588 018	588 018
Capital due to surplus of the price of issue over the nominal value	4 627 673	4 627 673
Own shares	-	(17 396)
Share-based capital	1 144 336	1 144 336
Revaluation reserve (financial instruments)	(3 847)	(3 847)
Reserve capital	754 841	754 425
Retained earnings	2 673 599	2 619 709
Total equity	**9 784 620**	**9 712 918**
LIABILITIES		
Non-current liabilities		
Loans and borrowings	-	-
Finance lease liabilities	5 390	5 821
Settlement of income due to subsidies and connection fees	33 438	34 301
Liabilities due to employee benefits	79 052	84 041
	117 880	**124 163**
Current liabilities		
Loans and borrowings	-	-
Trade and other liabilities	813 361	879 458
Finance lease liabilities	3 093	1 967
Settlement of income due to subsidies and connection fees	2 371	2 437
Current income tax liabilities	-	11 654
Liabilities due to employee benefits	8 806	9 018
Liabilities due to an equivalent of the right to acquire shares free of charge	424	163 799
Provision for certificates of origin	51 698	143 942
Provisions for other liabilities and charges	43 085	43 877
	922 838	**1 256 152**
Total liabilities	**1 040 718**	**1 380 315**
TOTAL EQUITY AND LIABILITIES	**10 825 338**	**11 093 233**

(all amounts in PLN '000, unless specified otherwise)

Individual statement of comprehensive income

	9 months ended 30.09.2009	3 months ended 30.09.2009	9 months ended 30.09.2008	3 months ended 30.09.2008
Sales revenue	5 366 865	1 751 458	4 312 426	1 416 482
Excise duty	(158 846)	(66 725)	-	-
Net sales revenue	**5 208 019**	**1 684 733**	**4 312 426**	**1 416 482**
Other operating revenue	18 185	3 499	31 424	3 401
Amortization/Depreciation	(10 453)	(3 337)	(13 150)	(4 586)
Employee benefits costs	(22 734)	(11 211)	(82 857)	(9 456)
Consumption of materials and raw materials and costs of goods sold	(2 380)	(992)	(3 495)	(579)
Energy purchase for the needs of sales	(3 381 416)	(1 108 663)	(2 462 442)	(809 297)
Transmission and distribution services	(1 572 903)	(504 336)	(1 650 688)	(524 051)
Other external services	(81 189)	(24 365)	(84 860)	(28 849)
Taxes and charges	(6 518)	(1 379)	(7 151)	(2 600)
Profit/(loss) on sale and liquidation of property, plant and equipment	683	(44)	7	7
Impairment loss on property, plant and equipment	(7 517)	-		-
Other operating expenses	(24 015)	(6 070)	(22 028)	(9 859)
Operating profit	**117 762**	**27 835**	**17 186**	**30 613**
Financial expenses	(5 563)	(810)	(1 068)	(323)
Financial revenue	108 754	40 689	31 265	12 751
Revenue from dividend	78 897	-	71 544	4 788
Profit before tax	**299 850**	**67 714**	**118 927**	**47 829**
Income tax	(42 263)	(9 588)	(13 263)	(8 754)
Net profit for the financial period	**257 587**	**58 126**	**105 664**	**39 075**
Other comprehensive income items:				
Measurement of financial assets available for sale	-	-	(1 835)	-
Income tax related to other comprehensive income items	-	-	284	-
Other net comprehensive income items	**-**	**-**	**(1 551)**	**-**
Comprehensive income for the period	**257 587**	**58 126**	**104 113**	**39 075**
Earnings per shareholders	257 587	58 126	105 664	39 075
Weighted average number of ordinary shares	441 442 578	441 442 578	347 253 939	345 341 718
Net earnings per share (in PLN)	**0.59**	**0.15**	**0.30**	**0.11**
Diluted profit per share (in PLN per share)	**0.59**	**0.15**	**0.30**	**0.11**

(all amounts in PLN '000, unless specified otherwise)

Individual statement of changes in equity

	Share capital (nominal value)	Revaluation of share capital	Total share capital	Own shares	Capital due to surplus of the price of issue over the nominal value of shares	Share-based capital	Revaluation reserve (financial instruments)	Reserve capital	Retained earnings	Total equity
Balance as at 1 January 2009	**441 443**	**146 575**	**588 018**	**(17 396)**	**4 627 673**	**1 144 336**	**(3 847)**	**754 425**	**2 619 709**	**9 712 918**
Total profit									257 587	**257 587**
Dividends									(203 281)	**(203 281)**
Distribution of the financial profit/loss								416	(416)	-
Sale of own shares acquired under the stabilization option				17 396						**17 396**
Balance as at 30 September 2009	**441 443**	**146 575**	**588 018**	**-**	**4 627 673**	**1 144 336**	**(3 847)**	**754 841**	**2 673 599**	**9 784 620**

(all amounts in PLN '000, unless specified otherwise)

	Share capital (nominal value)	Revaluation of share capital	Total share capital	Capital due to surplus of the price of issue over the nominal value of shares	Share-based capital	Revaluation reserve (financial instruments)	Reserve capital	Retained earnings	Total equity
Balance as at 1 January 2008	**348 221**	**146 575**	**494 796**	**2 791 254**	**901 110**	**-**	**412 400**	**2 864 459**	**7 464 019**
Total profit						(1 551)		105 664	**104 113**
Dividends								(98 588)	**(98 588)**
Redemption of shares	(10 594)		(10 594)					10 594	-
Cash equivalent exchanged for shares					224 042				**224 042**
Change in the fair value of employee shares program				19 184					**19 184**
Distribution of the financial profit/loss							342 025	(342 025)	
Balance as at 30 September 2008	**337 627**	**146 575**	**484 202**	**2 810 438**	**1 125 152**	**(1 551)**	**754 425**	**2 540 104**	**7 712 770**

(all amounts in PLN '000, unless specified otherwise)

Individual cash flow statement

	9 months ended 30.09.2009	9 months ended 30.09.2008
Cash flows from operating activities		
Net profit for the financial period	257 587	105 664
Adjustments:		
Income tax recognized in the income statement	42 263	13 263
Amortization/Depreciation	10 453	13 150
Costs of benefits due to share-based payments	-	19 433
Loss on sale and liquidation of property, plant and equipment	(683)	92
Impairment loss on property, plant and equipment	7 517	5 507
(Profit) / loss on sale of financial assets	(14 217)	(1 510)
Interest revenue	(94 570)	(31 265)
Revenue from dividend	(78 897)	(71 544)
Interest expenses	3 082	1 068
Exchange (gains) / losses due to repayment of loans and borrowings	-	-
	(125 052)	**(51 806)**
Income tax paid	(48 974)	(44 368)
Interest received	87 837	34 729
Interest paid	(3 082)	(868)
Changes in the working capital		
Inventories	-	-
Trade and other receivables	(145 953)	(15 055)
Trade and other liabilities	(81 495)	150 836
Liabilities due to employee benefits	(5 201)	26 538
Settlement of income due to subsidies and connection fees	(1 664)	(1 626)
Change in provisions for certificates of origin	(92 244)	133 042
Change in liabilities due to an equivalent of the right to acquisition of shares free of charge	(163 375)	-
Change in provisions	(792)	(7 501)
	(490 724)	286 234
Net cash flows from operating activities	**(322 408)**	**329 585**
Cash flows from investing activities		
Acquisition of property, plant and equipment and intangible assets	(916)	(12 220)
Gains from disposal of property, plant and equipment and intangible assets	1 475	-
Acquisition of financial assets	(1 900 000)	-
Gains from sales of financial assets	243 147	3 766
Acquisition of subsidiaries, associates and a jointly-controlled entity	(26 349)	(7 322)
Dividends received	78 897	70 705
Other payments / proceeds from investing activities	(2 695)	(500)
Net cash flows from investing activities	**(1 606 441)**	**54 429**
Cash flows from financing activities		
Proceeds from sale of own shares	22 479	-
Dividends paid	(203 064)	(86 111)
Payments of finance lease liabilities	(2 331)	(1 183)
Net cash flows from financing activities	**(182 916)**	**(87 294)**
Net increase / (decrease) in cash	**(2 111 765)**	**296 720**
Opening balance of cash	2 321 386	356 592
Closing balance of cash	**209 621**	**653 312**

(all amounts in PLN '000, unless specified otherwise)

1. General information about ENEA S.A.

Name (company):	ENEA Spółka Akcyjna
Legal form:	joint-stock company
Country of jurisdiction:	Republic of Poland
Registered office:	Poznań
Address:	ul. Nowowiejskiego 11, 60-967 Poznań
National Court Register - District Court in Poznań	KRS 0000012483
Telephone:	(+48 61) 856 10 00
Fax:	(+48 61) 856 11 17
E-mail:	enea@enea.pl
Website:	www.enea.pl
Statistical number (REGON):	630139960
Tax identification number (NIP):	777-00-20-640

ENEA S.A, operating under the business name Energetyka Poznańska S.A, was entered in the National Court Register in the District Court in Poznań, under number KRS 0000012483 on 21 May 2001.

As at 30 September 2009 ENEA S.A.'s shareholder structure is as follows (an increase in the share capital as a result of issuance of shares under a public offering, was registered in the National Court Register on 13 January 2009): The State Treasury of the Republic of Poland holds 76.48% of shares, Vattenfall AB 18.67% %, European Bank for Reconstruction and Development 2.50%, other shareholders 2.35%. The sale of own shares by ENEA S.A. (nominal value of PLN 1; the sale of 1 129 608 own shares at the average price of PLN 19.90 per share) was settled on 11 August 2009.

As at 30 September 2009 the Company's statutory share capital registered in the National Court Register equaled PLN 441,443 thousand (PLN 588,018 thousand upon adoption of EU-IFRS and considering hyperinflation and other adjustments) and was divided into 441,442,578 shares.

The core business of ENEA S.A. ("ENEA" "the Company") is trade in electricity.

ENEA S.A. is the parent company in the ENEA S.A. Capital Group. As at 30 September 2009 the Capital Group comprised also 24 subsidiaries, 3 associates and a jointly-controlled entity.

These condensed interim individual financial statements were prepared under the going concern assumption. There are no circumstances indicating that the going concern assumption of ENEA S.A. is threatened.

2. Statement of compliance

These condensed interim individual financial statements were prepared in accordance with the International Financial Reporting Standards IAS 34 Interim Financial Reporting, as approved by the European Union (EU-

IFRS) and adopted by the Management Board of ENEA S.A.

The Management Board of the Company used its best knowledge as to the application of standards and interpretations as well as measurement methods and principles applicable to the individual items of the condensed interim individual financial statements of ENEA S.A. in accordance with EU-IFRS as at 30 September 2009. The presented statements and explanations have been determined using due diligence. These condensed interim individual financial statements were reviewed by a certified auditor.

3. Accounting principles applied

These condensed interim individual financial statements have been prepared in accordance with accounting policies consistent with those applied during the preparation of the most recent annual individual financial statements, excluding changes of standards and interpretations approved by the European Union, which apply to the reporting periods beginning after 1 January 2009.

The accounting principles applied by the Company have been presented in the individual financial statements of ENEA S.A. for the financial year ended 31 December 2008.

The Polish zloty was used as the measurement and reporting currency for the interim individual financial statements The data in the individual financial statements have been presented in PLN thousand (PLN '000), unless stated otherwise.

These condensed interim individual financial statements should be read together with the individual financial statements of ENEA S.A. for the financial year ended 31 December 2008.

4. New accounting standards and interpretations

For annual periods beginning after 1 January 2009 new standards approved by the EU are applicable. The Company complied with those standards when preparing these condensed interim individual financial statements.

- IFRS 8 - Operating Segments
- Revised IAS 1 - Presentation of Financial Statements
- Revised IAS 23 - Borrowing Costs

(all amounts in PLN '000, unless specified otherwise)

5. Material estimates and assumptions

The preparation of these condensed interim individual financial statements in conformity with EU-IFRS requires that the Management Board makes certain estimates and assumptions that affect the adopted accounting policies and the amounts reported in the condensed interim individual financial statements and notes thereto. The adopted assumptions and estimates are based on the Management Board's best knowledge about current and future activities and events. The actual figures, however, can be different from those assumed. The estimated adopted for the needs of preparation of the condensed interim individual financial statements are consistent with the estimates adopted during preparation of the individual financial statements for the previous financial year. The estimates presented in previous financial years do not exert any significant influence on the current interim period.

6. Composition of the Capital Group - list of subsidiaries, associates and jointly-controlled entities

No.	Name and address of the Company	ENEA S.A. percentage share in the total number of votes 30.09.2009	ENEA S.A. percentage share in the total number of votes 31.12.2008
1.	ENERGOMIAR Sp. z o.o. *Poznań, ul Strzeszyńska 58*	100	100
2.	BHU S.A. *Poznań, ul. Strzeszyńska 58*	87.97	87.97
3.	Energetyka Poznańska Biuro Usług Technicznych S.A. *Poznań, ul. Dziadoszańska 10*	100	100
4.	Hotel "EDISON" Sp. z o.o. *Baranowo near Poznań*	100	100
5.	Energetyka Wysokich i Najwyższych Napięć "EWiNN" Sp. z o.o. *Poznań, ul. Strzeszyńska 58*	100	100
6.	Energetyka Poznańska Zakład Transportu Sp. z o.o. *Poznań, ul. Strzeszyńska 58*	100	100
7.	COGEN Sp. z o.o. *Poznań, ul. Nowowiejskiego 11*	100	100
8.	EnergoPartner Sp. z o.o. *Poznań, ul. Warszawska 43*	100	100
9.	Energetyka Poznańska Przedsiębiorstwo Usług Energetycznych Energobud Leszno Sp. z o.o. *Lipno, Gronówko 30*	100	100
10.	ENERGO-TOUR Sp. z o.o. *Poznań, ul.Strzeszyńska 58*	99.92	99.92
11.	ENEOS Sp. z o.o. *Szczecin, ul. Ku Słońcu 34*	100	100
12.	ENTUR Sp. z o.o. *Szczecin, ul. Malczewskiego 5/7*	100	100
13.	Niepubliczny Zakład Opieki Zdrowotnej Centrum Uzdrowiskowe ENERGETYK Sp. z o.o. *Inowrocław, ul. Wilkońskiego 2*	99.92	99.92
14.	Elektrownie Wodne Sp. z o.o. *Samociążek, 86-010 Koronowo*	100	100
15.	Zakład Usług Przewozowych ENERGOTRANS Sp. z o.o. *Gorzów Wlkp., ul. Energetyków 4*	100	100
16.	"PWE Gubin" Sp. z o.o. Sękowice 100, Gubin municipality	50	50
17.	Przedsiębiorstwo Energetyki Cieplnej Sp. z o.o. Oborniki, ul. Wybudowanie 56	87.99	87.99
18.	ITSERWIS Sp. z o.o. *Zielona Góra, ul. Zacisze 28*	100	100

(all amounts in PLN '000, unless specified otherwise)

19.	Auto – Styl Sp. z o.o. *Zielona Góra, ul. Zacisze 15*	100	100
20.	FINEA Sp. z o.o. *Poznań, ul.Warszawska 43*	100	100
21.	Przedsiębiorstwo Energetyki Cieplnej –Gozdnica Sp. z o.o. *Gozdnica, ul. Świerczewskiego 30*	100	100
22.	ENEA Operator Sp. z o.o. *Poznań, ul. Strzeszyńska 58*	100	100
23.	Elektrownia "Kozienice" S.A. *Świerże Górne, Kozienice municipality, Kozienice 1*	100	100
24.	Miejska Energetyka Cieplna Piła Sp. z o.o. *64-920 Piła, ul. Kaczorska 20*	64.997	64.997
25.	Kozienice II Sp. z o.o. *Świerże Górne, Kozienice municipality, Kozienice 2*	50	30
26.	Przedsiębiorstwo Produkcji Strunobetonowych Żerdzi Wirowanych WIRBET S.A. *Ostrów Wlkp., ul. Chłapowskiego 51*	49	49
27.	Przedsiębiorstwo Energetyki Cieplnej w Śremie S.A. *Śrem, ul. Staszica 6*	41.65	41.65
28.	Elektrociepłownia Białystok S.A. *Białystok, ul. Gen. Andersa 3*	30.36	30.36

Changes in the ENEA S.A. Capital Group structure in the period covered by these interim financial statements

On 23 February 2009, the Extraordinary Shareholders' Meeting of Kozienice II Sp. z o. o. adopted a resolution to increase the share capital by PLN 34,000 thousand. ENEA S.A. acquired 17,200 new shares with the face value of PLN 1,000 each. The remaining shares were assumed by Elektrownia "Kozienice" S.A. After the capital increase, Elektrownia "Kozienice" S.A. and ENEA S.A. hold 50% in the share capital and in the total number of votes at the Shareholders' Meeting each. Appropriate entry to the National Court Register was made on 7 April 2009.

On 31 March 2009 the Extraordinary Shareholders' Meeting of Zakład Usług Teleinformatycznych ZZE S. A. "IT SERWIS" Sp. z o. o. passed a Resolution No. 1 to increase the company's share capital by PLN 6,264 thousand to PLN 6,364 thousand, by way of creating 12,528 new shares with the face value of PLN 500 each. All new shares in the company's share capital were assumed by the sole shareholder ENEA S.A. The shares were covered with a contribution in kind. The increase in capital was registered on 15 May 2009.

On 31 March 2009 the Extraordinary Shareholders' Meeting of ENTUR Sp. z o. o. passed a Resolution No. 1 to increase the company's share capital by PLN 3,934.5 thousand to PLN 4,034.5 thousand, by way of creating 7,869 new shares with the face value of PLN 500 each. All new shares in the company's share capital were assumed by the sole shareholder ENEA S.A. The shares were covered with a contribution in kind. The increase in capital was registered on 9 June 2009.

On 31 March 2009 the Extraordinary Shareholders' Meeting of Zakład Usług Przewozowych "ENERGOTRANS" Sp. z o. o. passed a Resolution No. 1 to increase the company's share capital by

PLN 500 thousand up to PLN 1,385 thousand, by way of creating 1,000 new shares with the face value of PLN 500 each. All new shares in the company's share capital were assumed by the sole shareholder ENEA S.A. On 1 April 2009 the shares were covered with a cash contribution.

On 4 May 2009 the Extraordinary Shareholders' Meeting of COGEN Sp. z o. o. passed a Resolution No. 1 to increase the company's share capital by PLN 622.5 thousand up to PLN 1,622.5 thousand, by way of creating 1,245 new shares with the face value of PLN 500 each. All new shares in the company's share capital were assumed by the sole shareholder ENEA S.A.

On 25 May 2009 the Extraordinary Shareholders' Meeting of "PWE GUBIN" Sp. z o. o. passed a Resolution to increase the company's share capital by PLN 11,000 thousand. ENEA S.A. assumed 5,500 new shares with the face value of PLN 1,000 each. The remaining shares were assumed by Kopalnia Węgla Brunatnego "Konin" w Kleczewie S.A. After the capital increase, ENEA S.A. and Kopalnia Węgla Brunatnego "Konin" hold 50% in the share capital and in the total number of votes at the Shareholder's Meeting each.

On 1 July 2009 a merger consisting in the acquisition of STEREN Sp z o.o. with its registered office in Bydgoszcz by ENERGOMIAR Sp. z o.o. with its registered office in Poznań was registered in the National Court Register. As a result, a new entity was established under the name: ENERGOMIAR Sp z o.o. with the registered office in Poznań.

On 27 July 2009, the Extraordinary Shareholders' Meeting of EnergoPartner Sp. z o. o. adopted a resolution to increase the share capital by PLN 200 thousand, i.e. up to PLN 8,200 thousand, by way of creating 200 new shares with the face value of PLN 1,000 each. All new shares in the company's share capital were assumed by the sole shareholder ENEA S.A. and cash covered.

On 31 August 2009 the Extraordinary Shareholders' Meeting of EnergoPartner Sp. z o. o. passed a Resolution No. 1 to increase the company's share capital by PLN 2,900 thousand to PLN 11,100 thousand, by way of creating 2,900 new shares with the face value of PLN 1,000 each. All new shares in the company's share capital were assumed by the sole shareholder ENEA S.A. and cash covered.

(all amounts in PLN '000, unless specified otherwise)

7. Segment reporting

Segment reporting for the period from 1 January to 30 September 2009 is as follows:

	Turnover	All other segments	Total
Net sales revenue*	5 168 589	39 430	5 208 019
Inter-segment sales	-	-	-
Total net sales revenue	**5 168 589**	**39 430**	**5 208 019**
Total expenses **	(5 015 781)	(36 353)	(5 052 134)
Segment profit/loss	**152 808**	**3 077**	**155 885**
Unassigned general and administrative expenses			(38 123)
Operating profit			**117 762**
Financial expenses			(5 563)
Financial revenue			108 754
Revenue from dividend			78 897
Income tax			(42 263)
Net profit			**257 587**

* - net sales revenue under Turnover also includes net revenue from sales of distribution services of PLN 1,573 thousand which was individually presented in the condensed interim consolidated financial statements of the ENEA S.A Group under Distribution.

** - the total expenses: - include the costs of sales of distribution services of PLN 1,573 thousand, which were individually presented in the condensed interim consolidated financial statements of the ENEA S.A Group under Distribution
- include other operating revenue and expenses

Segment reporting for the period from 1 July to 30 September 2009 is as follows:

	Turnover	All other segments	Total
Net sales revenue*	1 671 511	13 222	1 684 733
Inter-segment sales	-	-	-
Total net sales revenue	**1 671 511**	**13 222**	**1 684 733**
Total expenses **	(1 631 850)	(10 576)	(1 642 426)
Segment profit/loss	**39 661**	**2 646**	**42 307**
Unassigned general and administrative expenses			(14 472)
Operating profit			**27 835**
Financial expenses			(810)
Financial revenue			40 689
Revenue from dividend			-
Income tax			(9 588)
Net profit			**58 126**

* - net sales revenue under Turnover also includes net revenue from sales of distribution services of PLN 505 thousand which was individually presented in the condensed interim consolidated financial statements of the ENEA S.A Group under Distribution.

** - the total expenses:
- include the costs of sales of distribution services of PLN 505 thousand, which were individually presented in the condensed interim consolidated financial statements of the ENEA S.A Group under Distribution
- include other operating revenue and expenses

(all amounts in PLN '000, unless specified otherwise)

Segment reporting for the period from 1 January to 30 September 2008 is as follows:

	Turnover	All other segments	Total
Net sales revenue*	4 277 068	35 358	4 312 426
Inter-segment sales	-	-	-
Total net sales revenue	**4 277 068**	**35 358**	**4 312 426**
Total expenses **	(4 157 231)	(32 015)	(4 189 246)
Segment profit/loss	**119 837**	**3 343**	**123 180**
Unassigned general and administrative expenses			(105 994)
Operating profit			**17 186**
Financial expenses			(1 068)
Financial revenue			31 265
Revenue from dividend			71 544
Income tax			(13 263)
Net profit			**105 664**

* - net sales revenue under Turnover also includes net revenue from sales of distribution services of PLN 1,656 thousand which was individually presented in the condensed interim consolidated financial statements of the ENEA S.A Group under Distribution.

** - the total expenses:
- include the costs of sales of distribution services of PLN 1,651 thousand, which were individually presented in the condensed interim consolidated financial statements of the ENEA S.A Group under Distribution
- include other operating revenue and expenses

Segment reporting for the period from 1 July to 30 September 2008 is as follows:

	Turnover	All other segments	Total
Net sales revenue*	1 404 007	12 475	1 416 482
Inter-segment sales	-	-	-
Total net sales revenue	**1 404 007**	**12 475**	**1 416 482**
Total expenses **	(1 356 588)	(8 898)	(1 365 486)
Segment profit/loss	**47 419**	**3 577**	**50 996**
Unassigned general and administrative expenses			(20 383)
Operating profit			**30 613**
Financial expenses			(323)
Financial revenue			12 751
Revenue from dividend			4 788
Income tax			(8 854)
Net profit			**39 075**

* - net sales revenue under Turnover also includes net revenue from sales of distribution services of PLN 523 thousand which was individually presented in the condensed interim consolidated financial statements of the ENEA S.A Group under Distribution.

** - the total expenses:
- include the costs of sales of distribution services of PLN 524 thousand, which were individually presented in the condensed interim consolidated financial statements of the ENEA S.A Group under Distribution
- include other operating revenue and expenses

(all amounts in PLN '000, unless specified otherwise)

Information on operating segments (cont'd)

Other segment reporting information as at 30 September 2009:

Balance as at 30 September 2009	**Turnover**	**All other segments**	**Total**
Property, plant and equipment	18 129	138 686	156 815
Trade and other receivables	790 856	6 056	796 912
Total:	**808 985**	**144 742**	**953 727**
ASSETS excluded from segmentation			9 871 611
- including property, plant and equipment			52 222
- including trade and other receivables			83 232
TOTAL: ASSETS			**10 825 338**
Trade and other liabilities	719 939	5 221	725 160
Equity and liabilities excluded from segmentation			10 100 178
- including trade liabilities and other liabilities			88 201
TOTAL: EQUITY AND LIABILITIES			**10 825 338**
Capital expenditure for fixed assets and intangible assets	-	13 959	13 959
Capital expenditure for fixed assets and intangible assets excluded from segmentation			5 915
Depreciation /amortization of fixed assets / intangible assets	310	9 586	9 896
Depreciation / amortization of fixed assets / intangible assets excluded from segmentation			557
Revaluation write-down on receivables as at 30.09.2009	84 572	648	85 220

(all amounts in PLN '000, unless specified otherwise)

Information on operating segments (cont'd)

Other segment reporting information as at 31 December 2008:

Balance as at 31 December 2008	Turnover	All other segments	Total
Property, plant and equipment	18 439	140 710	159 149
Trade and other receivables	713 082	5 896	718 978
Total:	**731 521**	**146 606**	**878 127**
ASSETS excluded from segmentation			10 215 106
- including property, plant and equipment			53 212
- including trade and other receivables			13 695
TOTAL: ASSETS			**11 093 233**
Trade and other liabilities	840 957	5 912	846 869
Equity and liabilities excluded from segmentation			10 246 364
- including trade liabilities and other liabilities			32 589
TOTAL: EQUITY AND LIABILITIES			**11 093 233**
Capital expenditure for fixed assets and intangible assets	-	13 421	13 421
Capital expenditure for fixed assets and intangible assets excluded from segmentation			21 893
Depreciation / amortization of fixed assets / intangible assets	321	16 179	16 500
Depreciation / amortization of fixed assets / intangible assets excluded from segmentation			296
Revaluation write-down on receivables as at 31.12.2008	92 752	767	93 519

The segment revenue is that generated from the sales to external clients and transactions with other segments, which are directly attributable to a given segment and a relevant portion of the Company's revenue on a reasonable basis.

The segment costs are those consisting of costs of goods sold to external clients and costs of transactions with other Group segments, which result from operations of a given segment and are directly attributable to a given segment with a relevant portion of the Company's costs and are assignable on a reasonable basis.

Market prices applied to Inter-segment transactions provide individual entities with a margin sufficient for independent functioning on the market. Prices specified in the Energy Law, i.e. the Energy Law of 10 April 1997 and relevant secondary legislation, apply in terms of trading in electricity and providing transmission services.

Supplementary reporting - geographical segments

The Company operates in one geographical region, in Poland, and therefore it does not distinguish geographical segments.

8. Property, plant and equipment

During the 9-month period ended 30 September 2009, the Company acquired property, plant and equipment for the total amount of PLN 19, 874 thousand (during the period of 12 months ended 31 December 2008 it was PLN 35,314 thousand).

During the 9-month period ended 30 September 2009, the Company sold and liquidated property, plant and equipment for the total net amount of PLN 436 thousand (during the period of 12 months ended 31 December 2008 it was PLN 547 thousand).

During the 9-month period ended 30 September 2009, the Company decreased property, plant and equipment by way of a contribution in kind of assets of the total net book amount of PLN 3,929 thousand made to ENTUR Sp. z o.o., IT SERWIS Sp z o.o. and COGEN Sp z o. o.

During the 9-month period ended 30 September 2009, the Company recognized additional revaluation write-downs on the carrying value of property, plant and equipment for the total amount of PLN 7,517 thousand (during the period of 9 months ended 30 September 2008 it was PLN 5,788 thousand).

During the 3-month period ended 30 September 2009, revaluation write-downs on the carrying value of property, plant and equipment did not change (during the period of 3 months ended 30 September 2008 the Company recognized additional revaluation write-downs on the carrying value of property, plant and equipment for the total amount of PLN 5,788 thousand).

(all amounts in PLN '000, unless specified otherwise)

As at 30 September 2009 the total revaluation write-downs on the carrying value of property, plant and equipment amounted to PLN 15,301 thousand (as at 31 December 2008: PLN 7,784 thousand).

Impairment test (property, plant and equipment)

The Company carried out an impairment test of property, plant and equipment as at 31 December 2008. Based on the test, as at 31 December 2008 there was no impairment of property, plant and equipment.

9. Intangible assets

During the 9-month period ended 30 September 2009, the Company did not sell acquire intangible assets (during the period of 12 months ended 31 December 2008: PLN 0 thousand).

During the 9-month period ended 30 September 2009, the Company did not sell or liquidate intangible assets (during the period of 12 months ended 31 December 2008: PLN 0 thousand).

10. Investments in subsidiaries, associates and jointly-controlled entities

	30.09.2009	31.12.2008
Opening balance	**7 780 241**	**7 525 908**
Acquisition of investments	30 278	254 543
Revaluation write-down	-	(210)
Closing balance	**7 810 519**	**7 780 241**

During the 9-month period ended 30 September 2009, the Company acquired shares in subsidiaries: Zakład Usług Teleinformatycznych ZZE S. A. "IT SERWIS" Sp. z o. o. in Zielona Góra, ENTUR Sp. z o. o. in Szczecin, "PWE GUBIN" Sp. z o.o. in Sękowiny, COGEN Sp z o.o. in Poznań, Kozienice II Sp z o.o. Świerże Górne, ENERGOTRANS Sp. z o.o. Gorzów Wlkp., EnergoPartner Sp. z o.o. for the total amount of PLN 37,121 thousand. The amount recognized in the balance sheet was reduced by PLN 6,843 thousand due to the difference between the carrying value and the market value of contributions made to cover the shares. During the period of 12 months ended 31 December 2008 the Company acquired shares in subsidiaries, associated entities and jointly-controlled entities for the total amount of PLN 254,543 thousand.
The method of settlement of the acquisition of the entities has been described in note 13.

During the 9-month period ended 30 September 2009 and the 12-month period ended 31 December 2008 the Company did not sell any investments in associates.

Revaluation write-down on investments

	30.09.2009	31.12.2008
Opening balance of revaluation write-down on investments	**13 724**	**13 514**
Created	-	210
Closing balance of revaluation write-down on investments	**13 724**	**13 724**

(all amounts in PLN '000, unless specified otherwise)

11. Revaluation write-downs on trade and other receivables

	30.09.2009	31.12.2008
Opening balance of revaluation write-down on receivables	**93 519**	**96 520**
Created	9 411	9 153
Released	(17 717)	(11 237)
Applied	7	(917)
Closing balance of revaluation write-down on receivables	**85 220**	**93 519**

During the 9-month period ended 30 September 2009, the revaluation write-down on the carrying value of trade and other receivables decreased by PLN 8,299 thousand (during the period of 9 months ended 30 September 2008 the revaluation write-down dropped by PLN 2,789 thousand).

During the 3-month period ended 30 September 2009, the revaluation write-down on the carrying value of trade and other receivables decreased by PLN 1,538 thousand (during the period of 3 months ended 30 September 2008 the revaluation write-down grew by PLN 147 thousand).

12. Investment portfolio

ENEA S.A. fulfilled the conditions necessary to release funds from the ESCROW account due to the issuance of shares at the WSE. A specialized financial institution professionally manages the funds which amounted to PLN 1,673,763 thousand as at 30 September 2009. In accordance with the Agreement, transferred funds will be invested only in safe securities (treasury bills and bonds worth PLN 1,227,824 thousand) and deposits (in banks specified by the Company - PLN 445,938 thousand), based on the following scheme:

Type of assets	Minimum share	Maximum share
Debt instruments with a surety or guarantee of the State Treasury or the National Bank of Poland	0%	100%
Bank deposits	0%	30%

The investment portfolio is treated as financial assets measured at fair value through profit or loss.
The selected strategy is to maximize profit at minimum risk.

13. Settlement of acquisition of new subsidiaries and associates

In December 2008 ENEA S.A. acquired two subsidiaries: Przedsiębiorstwo Energetyki Cieplnej Sp. z o. o. in Oborniki ("PEC Oborniki"), Miejska Energetyka Cieplna Sp. z o. o. in Piła ("MEC Piła") and two associates: Przedsiębiorstwo Energetyki Cieplnej w Śremie S.A. and Elektrociepłownia Białystok S.A. As at the date of preparation of these condensed interim individual financial statements assigning the fair value to identifiable assets and liabilities of the acquired entity is possible only as an estimate, therefore the Company decided to carry out the settlement on a preliminary basis. Any adjustments of the estimated values resulting from the end of the preliminary settlement will be made within 12 months of the date of acquisition.

14. Share capital

The Extraordinary Shareholders' Meeting of 3 November 2008 passed a Resolution on an increase in the share capital of ENEA S.A. in relation to the planned public offering of 103,816,150 series C bearer shares with the face value of PLN 1 each. The share capital was increased from PLN 337,626,428 to PLN 441,442,578. The increase was registered in the National Court Register on 13 January 2009. On 30 January 2009 the new shares were registered in the National Depository for Securities.

15. Equity related to share-based payments and liabilities due to an equivalent of the right to acquire shares free of charge

On the basis of the Act the Commercialization and Privatization dated 30 August 1996 (Act on Commercialization and Privatization) employees of the ENEA Capital Group are entitled to acquire 15% of the shares of ENEA S.A. free of charge under the program ("program").
Employees eligible to acquire shares are persons who were employed in the ENEA SA Capital Group in time of the company commercialization (i.e. in 1993 and 1996) and filed a written declaration of will to acquire shares within 6 months from commercialization date. The Act on Commercialization and Privatization specifies the total number of shares to be transferred, but it does not stipulate the number of shares per one employee. The number of shares granted to particular employees will depend on the total number of years with the company including the number of years in the company before commercialization and after commercialization until the date of the sale of shares by the State Treasury.

According to IFRS 2, program costs should be recognized in the period when eligible employees performed work and the cost of work should be determined as at the Grant Date, i.e. as at the date when all significant conditions of granting shares to employees were determined.

The value of the employee shares program was determined by the Company based on the measurement of shares of ENEA S.A. as at the date of drawing up the financial statements for the financial years ended 31 December 2007, 31 December 2006 and 31 December 2005 included in the prospectus of ENEA S.A. The value of the program was determined at PLN 901 million. The ENEA SA Capital Group recognized the total program costs as the previous years adjustment in equity of the oldest period presented in these financial statements, i.e. as at 1 January 2005 and it did not revaluate the costs as at any of the dates ending a later financial period, i.e. 31 December 2005, 31 December 2006, 31 December 2007 and 31 December 2008.

According to the Management Board, the IFRS do not specify the principles of settling the program in line with the Act on Commercialization and Privatization. In particular they do not allow for unambiguous interpretation of a situation when the total number of shares due to staff employed was determined at the moment of commercialization, i.e. before the Grant Date, but the number of shares to be granted to particular employees was not specified. In such a case an employee working in subsequent periods, by the Grant Date, is likely to be granted a higher number of shares. This, however, will not take place due to the issue of additional shares but as a result of the reduction of the number of shares for other staff members.

(all amounts in PLN '000, unless specified otherwise)

Moreover, according to the Management Board, the key purpose of the program was to grant employees compensation for work before the date of commercialization of the enterprise (i.e. in the past). Consequently, the total fixed number of shares for employees was determined and could not be changed with relation to work in subsequent periods.

Considering the above, the Management Board of ENEA SA decided that the program value would not be changed. As a result, the value of the program as at 30 September 2009 stood at PLN 921 million.

Pursuant to the Act of 7 September 2007 on the acquisition of shares from the State Treasury as a result of the energy sector consolidation process, the Eligible Employees of "Kozienice" S.A. were supposed to place a declaration of the intention to exchange the equivalent for the right to acquire shares of ENEA S.A. free of charge by 18 January 2008. Once the placed declarations and the result of the complaint procedure have been examined the value of shares to be settled in the form of an equivalent was PLN 291,127 thousand (PLN 514,920 thousand as at 31 December 2007). Exchange of the value of the equivalent for allotment certificates worth PLN 224,042 thousand was disclosed under the Company's capital under "Share-based capital".

As at 30 September 2009, a part of the equivalent was paid to the Eligible Employees of Elektrownia "Kozienice" S.A. As at 30 September 2009 other liabilities due to the equivalent amounted to PLN 424 thousand (as at 31 December 2008 the liability was PLN 163,799 thousand).

16. Deferred income tax

Changes in the deferred tax asset (considering the net-off of asset and provision):

	30.09.2009	31.12.2008
Opening balance	**(39 701)**	**(29 351)**
Amount charged to profit	5 449	(9 447)
Amount charged to other comprehensive income items	-	(903)
Closing balance	**(34 252)**	**(39 701)**

During the 9-month period ended 30 September 2009, the Company's profit before tax was charged with PLN 5,449 thousand as a result of a decrease in the deferred tax asset (during the period of 9 months ended 30 September 2008 the Company's profit before tax was credited with PLN 24,420 thousand due to an increase in the asset).

During the 3-month period ended 30 September 2009, the Company's profit before tax was charged with PLN 1,728 thousand as a result of an increase in the deferred tax liability (during the period of 3 months ended

(all amounts in PLN '000, unless specified otherwise)

30 September 2008 the Company's profit before tax was charged with PLN 11,432 thousand due to an increase in the liability).

17. Certificates of origin

	30.09.2009	31.12.2008
Certificates of origin	(77 630)	(14 572)
Advance payments for certificates of origin	(1 961)	(2 985)
Provision for the costs of redemption of certificates of origin	131 289	161 499
Provision for certificates of origin	**51 698**	**143 942**

18. Provisions for liabilities and other obligations

Provision for projected losses due to compensation proceedings

	30.09.2009	31.12.2008
Opening balance	**42 268**	**61 676**
Increase in provisions	967	17 023
Decrease in provisions	(2 076)	(36 431)
Closing balance	**41 159**	**42 268**

Other provisions

	30.09.2009	31.12.2008
Opening balance	**1 609**	**588**
Increase in provisions	317	1 021
Decrease in provisions	-	-
Closing balance	**1 926**	**1 609**

Provisions for liabilities are determined at justified, reliably estimated amount. Individual provisions are created for projected losses related to a court action brought against the Company. The provisions are created in the amount of the claim considering the probability of losing the case based on a legal opinion. The cost of provisions is recognized under other operating expenses. The description of claims and relevant contingent liabilities have been presented in notes 23.2, 23.4, 23.5 and 23.6.

During the 9-month period ended 30 September 2009, the provision for projected losses due to compensation proceedings decreased by PLN 792 thousand (during the period of 9 months ended 30 September 2008 the provision for projected losses due to court proceedings and other provisions decreased by PLN 7,501 thousand).

During the 3-month period ended 30 September 2009, the provision for projected losses due to compensation proceedings increased by PLN 682 thousand (during the period of 3 months ended 30 September 2008 it dropped by PLN 586 thousand).

(all amounts in PLN '000, unless specified otherwise)

19. Dividend

On 30 June 2009 the General Shareholders' Meeting of ENEA S.A. adopted a resolution No. 4 concerning net profit distribution for the financial period from 1 January 2008 to 31 December 2008 under which the amount of PLN 203,064 thousand was allocated for payment of dividend to the shareholders (dividend per share was PLN 0.46). The dividend was paid by the balance sheet date.

Pursuant to the Act on profit-sharing payments in companies wholly owned by the State Treasury of 1 December 1995 ENEA S.A. made quarterly profit-sharing payments (defined as gross profit less the amount of current income tax) in the amount of 15% which is recognized as dividend payment. The Company has ceased to be subject to the above obligation at the end of the month in which the capital increase resulting from the public issuance of shares conducted in 2008 (13 January 2009) was registered, i.e. since 1 February 2009.

Profit-sharing payments for the period from 1 January 2009 to 31 January 2009 amounted to PLN 218 thousand.
Profit-sharing payments for the period from 1 January to 30 September 2008 amounted to PLN 12,187 thousand. The Company reported the adjustment of the mandatory profit-sharing payments for 2007 in the amount of PLN 2,229 thousand.
Profit-sharing payments for the period from 1 July to 30 September 2008 amounted to PLN 5,782 thousand.

20. Related party transactions

The company concludes the following related party transactions:

(i) Companies from the ENEA S.A. Capital Group.

	30.09.2009	**31.12.2008**
Purchases, including:	**3 435 167**	**3 861 807**
investment purchases	15 389	26 628
material purchases	518	1 263
service purchases	1 639 314	2 293 876
other (including electricity)	1 779 946	1 540 040
	251 093	**302 316**
Sales, including:		
sale of electricity	240 400	287 027
sale of goods and materials	0	0
sales of services	972	2 245
other	9 721	13 044

	30.09.2009	**31.12.2008**
receivables	32 359	49 166
liabilities	558 890	642 363

(all amounts in PLN '000, unless specified otherwise)

(ii) Transactions concluded with Companies and Members of the Group's Management divided into three categories:

- resulting from employment contracts with Members of the Management Board of the Parent Company related to appointment of the Members of the Supervisory Board;
- resulting from borrowings from the Company's Social Benefit Fund granted to Members of the Management Board of the Parent Company and Supervisory Board employed in ENEA S.A.;
- resulting from civil–law agreements.

In terms of the first category the amount of transactions have been presented in the table below:

Item	Management Board 01.01.2009 - 30.09.2009	Management Board 01.01.2008 - 30.09.2008	Supervisory Board 01.01.2009 - 30.09.2009	Supervisory Board 01.01.2008 - 30.09.2008
Remuneration pursuant to employment contract	1 141	702	-	-
Remuneration pursuant to appointment of managing and supervising bodies	-	-	126	259
Remuneration due to the position held in supervisory boards of subsidiaries	251	114	-	-
Remuneration due to other employee benefits, including: (reduced payment for electricity)	44	125	-	-
TOTAL	**1 436**	**941**	**126**	**259**

Members of the Management Board and Supervisory Board are subject to the provisions of the Act of 3 March 2000 on remuneration of persons managing certain legal entities (companies with the majority interest of the State Treasury). Pursuant to the Act, the maximum monthly remuneration cannot exceed six average monthly remunerations in the enterprise sector excluding profit bonuses in Q4 of the preceding year published by the President of the Central Statistical Office. The amount of the annual bonus cannot exceed three average monthly remunerations in the year preceding bonus awarding.

Transactions related to borrowings from the Company's Social Benefits Fund:

No.	Body	Balance as at 01.01.2009	Granted 01.01.2009	Maturing 30.09.2009	Balance as at 30.09.2009
1.	Management Board	18	-	(18)**	-
2.	Supervisory Board	-	20	(2)	**18**
	TOTAL	**18**	**20**	**(20)**	**18**

No.	Body	Balance as at 01.01.2008	Granted 01.01.2008	Maturing 31.12.2008	Balance as at 31.12.2008
1.	Management Board	27	-	(9)*	**18**
2.	Supervisory Board	6	-	(6)	-
	TOTAL	**33**	**-**	**(15)**	**18**

(all amounts in PLN '000, unless specified otherwise)

* including PLN 5 thousand eliminated from presentation being a borrowing of Renata Czech dismissed from the function of the Member of the Management Board on 15 July 2008 based on the resolution of the Supervisory Board No. 55/VI/2008.
* PLN 18 thousand eliminated from presentation being a borrowing of Czesław Kolterman dismissed from the function of the Member of the Management Board on 1 September 2009.

Other transactions resulting from civil-law agreements concluded between ENEA S.A. and Members of the Company's Bodies relate only to private use of company's cars by Members of the Management Board of ENEA S.A.

(iii) Transactions with entities, whose shares are held by the State Treasury

ENEA S.A. also concludes business transactions with the entities of the central and local administration and entities owned by the State Treasury of the Republic of Poland.
The transactions concern:

- purchase of electricity and property right resulting from certificates of origin as regards renewable energy and energy produced in cogeneration with heat from companies whose shares are held by the State Treasury and
- sale of electricity, distribution service and other related fees, provided to the central and local administration bodies (domestic sale) and entities whose shares are held by the State Treasury (domestic wholesale and retail - end users).

These transactions are concluded in line with the arm's length principle and their terms and conditions do not differ from those applied in transactions with other entities. The Company does not keep a register which would allow for aggregating the values of all transactions with the state entities and entities whose shares are held by the State Treasury, therefore the turnovers and balances of related-party transactions disclosed in these condensed interim individual financial statements do not include the data concerning transactions with the entities whose shares are owned by the State Treasury.

21. Future liabilities due to contracts concluded as at the balance sheet date

Contractual obligations incurred as at the balance sheet date, not recognized in the balance sheet:

	30.09.2009	**31.12.2008**
Acquisition of property, plant and equipment	17 244	17 164
Acquisition of intangible assets	705	-
	17 949	**17 164**

22. Explanations of the seasonal and cyclical nature of the Company's business

Sales of electricity during the year are subject to seasonal fluctuations. They increase during the winter months and decrease in summer. This depends on the temperature and the length of the day. The extent of fluctuations depends on low temperature and shorter days in winter and higher temperature and longer days in summer. Seasonal sales of electricity apply largely to small clients (45.51% of the sales value), not to the industrial sector.

23. Contingent liabilities and proceedings before court, body competent to conduct arbitration or public administration body

23.1. Loans and borrowings collateral and guarantees granted by the Company

The Company did not grant any guarantees or collateral for loans or borrowings during the reporting period.

23.2. Pending proceedings before common courts of law

Actions brought by the Company

Actions which ENEA S.A. brought to common courts of law refer to claims for receivables due to provision of electricity (the so-called electricity cases) and claims for other receivables - illegal consumption of electricity, connections to the network and other specialist services rendered by the Company (the so-called non-electricity cases).

As at 30 September 2009 there were 6,122 cases pending before common courts of law which have been brought by the Company for the total amount of PLN 13,946 thousand (as at 31 December 2008 there were 7,637 cases for the total amount of PLN 12,167 thousand). None of the cases is significant for the Company's profit/loss.

Actions brought against the Company

Actions against the Company are brought both by natural and legal persons. They mainly refer to such issues as compensation for interrupted delivery of electricity, determination of whether illegal electricity consumption took place and compensation for the Company's use of real property where electrical equipment has been situated. The Company considers actions concerning non-contractual use of real property not owned by the Company as particularly important (note 23.5).

As at 30 September 2009 there were 139 cases pending before common courts of law which have been brought against the Company for the total amount of PLN 12,447 thousand (as at 31 December 2008 there were 166 cases for the total amount of PLN 12,734 thousand). Provisions related to the court cases have been presented in note 18.

23.3. Arbitration proceedings

As at 30 September 2009 there were no pending proceedings before competent arbitration bodies.

23.4. Proceedings before public administration bodies

Pursuant to the decision of the President of the Office of Competition and Consumer Protection of 12 September 2008 which closed the proceedings for charging electricity recipients with a double subscription fee for January 2008, ENEA S.A. was obliged to pay a fine of PLN 160 thousand. The Company appealed against the decision on 30 September 2008. On 31 August 2009 the Regional Court in Warsaw – Court of Competition and Consumer Protection reduced the fine to PLN 10 thousand.

Pursuant to the decision of 27 November 2008 No. DPE-451-206(4)/2688/2008MOS, the President of the Energy Regulatory Office, following administrative proceedings, imposed a fine of PLN 7,594 thousand, i.e. 0.2771% of the revenue from licensed operations generated in 2006 due to default under the obligation specified in Article 9a clause 8 of the Energy Law to purchase offered electricity produced in cogeneration with production of heat in the energy sources connected to the network and located in Poland. On 17 December 2008 ENEA S.A. appealed via the Energy Regulatory Office to the Regional Court in Warsaw - Court of Competition and Consumer Protection - explaining that ENEA S.A. exercised due diligence required by law to meet the obligation specified in Article 9a clause 8 of the Energy Law.
A provision for the total amount of the aforementioned fine was recognized in these condensed interim financial statements.

Due to the nature of the Company's business, there were many other proceedings before the public administration bodies as at 30 September 2009.

Vast majority of the proceedings was instigated upon request of the Company which applies to relevant administration bodies for:

- instigation of administrative enforcement in order to recover receivables for illegal consumption of electricity;
- building permits with respect to new facilities and modernization of the existing ones;
- permit for occupation of a road lane by electricity equipment;
- determination of fees for perpetual usufruct of land;
- designation of land for electrical devices.

Some of the proceedings are complaints submitted to government and local government administration bodies or administrative courts with respect to decisions issued in the above cases.
The result of the proceeding should not have a significant impact on the Company's net profit.

As at 30 September 2009 the President of the Energy Regulatory Office carried out a series of explanatory and administrative proceedings against the Company.
The result of the proceeding should not have a significant impact on the Company's net profit.

On 16 March 2009, as a result of an inspection of the Supreme Chamber of Control (NIK) related to *Restructuring of the energy sector since 2005 and energy network security*, the Company received a post-audit statement. On 23 March 2009 the Management Board of ENEA S.A. presented formal objections as regards non-fulfillment due to occurrence of the requirements specified in the Act of 23 December 1994 on the Supreme Chamber of Commerce and incompatibilities of findings with the facts and findings specified in the post-audit statement and reservations concerning assessment included therein. On 20 April 2009 the Commission of Appeal adopted a Resolution to close the appeal proceedings. It was approved by the Chairman of the Supreme Chamber of Control on 22 May 2009. The Management Board of ENEA S.A. drew up a letter dated 10 June 2009 in which it informed the Supreme Chamber of Control of the ways the findings and comments had been applied in practice.

23.5. Risk related to the legal position of real property used by the Company

The risk related to the legal status of the properties used by the Company (currently utilized by ENEA Operator Sp. z o.o.) results from the fact that the Company does not have all legal titles to use the land where transmission networks and related devices are located. The Company may have to incur costs related to non-contractual use of properties in future.

Considering the legal status problems there is a risk of additional costs related to compensation claims for non-contractual use of land, lease rental or, rarely, claims related to the change of location (restoring land to its original state).

Claims against the Company are of the nature of claims for payment (compensation for non-contractual use of properties, impairing the value of properties, lost benefits) and claims for discontinuing infringement of the ownership rights (demand to remove devices).

Decisions related to these issues are of significant importance, as they considerably affect the Company's strategy towards persons who lodged out-of-court claims related to devices located on their land in the past and the approach to the legal status of devices in case of new investments.

The Company established a provision for all claims lodged by owners of properties located near transmission networks and devices based on most appropriate estimates of expenditures necessary to settle the claims assumed by the Management Board. Since the distribution system operator has been spun off, claims against ENEA Operator Sp. z o.o., the owner of the transmission networks and related devices, have been lodged as well. As at 31 December 2008, the Management Board of ENEA S.A. examined the submitted claims which had not been brought to court. As a result of the examination, the estimates were changed and the provision for claims of persons holding real property due to non-contractual use of land was partially released (Note 18).

The Company does not establish a provision for possible unlodged claims of owners of land which is used non-contractually. Potential claims may be significant for the Company, considering the area of non-contractually used land. The Company does not keep any record nor has any knowledge concerning the legal status of land, therefore it is unable to reliably estimate the maximum amount of possible claims arising from non-contractual use of land.

23.6. Risk related to participation in costs incurred due to the use of woodland managed by the National Forests for the needs of electricity lines

As on 30 September 2009 there were no regulations in this respect and the Company did not create provisions for possible claims due to the use of woodland managed by the National Forests for the needs of the Company's electricity lines. On 29 November 2006 was held a meeting initiated by the Minister of Environment and attended by representatives of the National Forests, the Ministry of State Treasury, PSE-Operator Sp. z o.o. and Polskie Towarzystwa Przesyłu i Rozdziału Energii Elektrycznej representing distribution companies. The National Forests' proposition to conclude agreements on the lease of land where the lines are located was not accepted. Consequently, a more general solution based on legislative changes is required. Currently, it is not possible to estimate a provision for participating in the costs of the National Forests related to property tax for the land of the State Treasury. Possible claims may be significant, considering the area of land.

Regardless of the aforementioned actions aimed at general regulation of the legal status of land owned by the National Forests, individual forest district offices lodged claims against the Company due to non-contractual use of land. The claims have been accounted for in the provision presented in Note 18.

24. Opening of negotiations concerning acquisition of Zespół Elektrowni Pątnów-Adamów-Konin S.A.

In 2008 ENEA S.A. started negotiations with the receiver in bankruptcy of Elektrim S.A. concerning the acquisition of 45.95% of shares in Zespół Elektrowni Pątnów-Adamów-Konin S.A. (ZE PAK). The Company will place the offer after a number of conditions have been met. They include satisfactory results of the legal, financial, tax, technical, environmental and operational review of ZE PAK and its capital group, negotiating all conditions of the sales agreement and positive settlement of the claims with respect to shares in ZE PAK filed by debtors of Elektrim S.A. As at the date of preparation of these condensed interim individual financial statements no binding decisions were taken.

25. Actions aimed at acquiring a coal mine

The Company has taken steps aimed at acquiring an organized part of a coal mine - Kopalnia Węgla Kamiennego "Brzeszcze – Silesia" Ruch II Silesia and has made an informal acquisition offer. As at the date of drawing up these individual financial statements, the Management Board of ENEA S.A. decided to discontinue the process aimed at acquisition of an organized part of Kompania Węglowa S.A. Ruch II Silesia KWK "Brzeszcze-Silesia". It is possible that the Company will continue the negotiations and determine new principles of cooperation with Kompania Węglowa, the owner of KWK Silesia. In case of KWK Silesia coal mine the decision making process is in progress and ENEA S.A. is considering other forms of investments.

26. Changes in excise tax

On 1 March 2009, the amendment of the Excise Tax Act of 23 January 2004 came into force. Polish excise tax regulations had to be amended in order to comply with the EU laws. Based on the amendment, the excise tax obligation arises when electricity is supplied to the final buyers (not in time of producing electricity). Consequently, since 1 March 2009 ENEA S.A. has been obliged to pay excise tax.

The value of input excise tax for the period from 1 March 2009 to 30 September 2009 amounted to PLN 158,846 thousand.

27. Post balance sheet events

27.1. Share capital increase of a subsidiary

On 23 October 2009 the Extraordinary Shareholders' Meeting of Niepubliczny Zakład Opieki Zdrowotnej Centrum Uzdrowiskowe ENERGETYK Sp. z o. o. with the registered office in Inowrocław decided to increase the company's share capital by PLN 3,250 thousand to PLN 15,738 thousand, by way of creating 6,500 new shares with the face value of PLN 500 each. All new shares in the company's share capital will be assumed and cash covered by ENEA S.A.

27.2. Negotiations concerning acquisition of shares

On 13 July 2009 the Minister of Treasury in Warsaw, acting on behalf of the State Treasury based on the Act on commercialization and privatization (Dz. U. of 2002 No. 171, item 1397, as amended) on detailed procedure of selling shares of the State Treasury (Dz. U. of 2009 No. 34, item 264), invited all interested parties to negotiations concerning the acquisition of 295,987,473 shares with the face value of PLN 1 each, owned by the State Treasury and constituting 67.05% of the share capital of ENEA S.A. in Poznań.
Written answers to the public invitation to negotiations concerning the acquisition of shares of the Company by Potential Investors who received the Memorandum were submitted by 14 August 2009.
The only Company which replied was RWE AG.
On 14 October 2009 the Ministry of State Treasury informed that RWE AG would not file a binding offer to acquire shares of ENEA S. A. Consequently, the process of the sale of 67.5 % shares in ENEA S.A. held by the State Treasury was closed on 15 October 2009.

Additional information for the expanded consolidated report for Q3 2009

I. Description of the organisation of the issuer’s capital group with an indication of units subject to consolidation and the consequences of changes to the structure of the issuer’s capital group, including as a result of the merger of business units, the takeover or sale of the issuer’s capital group units, long-term investments, the division, restructuring or cessation of operations

A description of the organisation of the issuer’s capital group with an indication of units subject to consolidation and a description of changes to the structure of the issuer’s capital group is included in Note No. 6 to the consolidated quarterly financial statement (p. 17 of this report).

Description of the Capital Group’s operations

As part of its basic activities, the ENEA Capital Group (the “Group”) is involved in generating, distributing and trading in electricity. The above activities are performed by companies from our Group on the basis of licences granted by the President of the Energy Regulatory Office, the body established to carry out regulatory tasks with regard to the management of fuels and energy and to encourage competition in the energy sector. Within our Group, we particularly hold the following concessions: (i) ENEA holds a concession for electricity trading which is valid until the end of 2025; (ii) EnergoPartner holds a concession for electricity trading which is valid until the end of 2025; (iii) ENEA Operator holds a concession for electricity distribution which is valid until mid-2017; (iv) Elektrownia Kozienice holds a concession for electricity generation which is valid until the end of 2025, and a concession for electricity trading which is valid until the end of 2012; and (v) Elektrownie Wodne holds a concession for electricity generation which is valid until 30 March 2011.

Generation

Within our Group, the generation of electricity is mainly carried out by Elektrownia Kozienice S.A., which became part of the Group in October 2007. The Kozienice power plant has a gross annual power capacity of 2,880 MW and is thus the largest bituminous coal-fired power plant in Poland. In January 2008 Elektrownia Kozienice also began producing electricity from renewable sources (by including biomass in its fuel). In the period Q1-Q3 2009, the Kozienice plant generated a gross 8,960,297 MWh of electricity. Elektrownia Kozienice also generates electricity from renewable sources by burning biomass together with conventional fuel (bituminous coal). In the period Q1-Q3 2009, Elektrownia Kozienice obtained renewable energy certificates in the amount of 151,614.787 (relevant applications to the ERO were submitted for August and September).

Generation of electricity from renewable sources is mainly the concern of our subsidiary, Elektrownie Wodne Sp. z o.o. In 2009, it obtained 24,114.049 renewable energy certificates. The annual power capacity of the 20 hydroelectric plants belonging to our Group amounts to 56 MW. 23,797.553 MWh of electricity were generated in hydroelectric plants and transferred to the grid in Q3 of 2009.

Activities undertaken in terms of increasing the amount of electricity produced from renewable energy sources is significant for the Group in that provisions of law oblige us to obtain certificates of origin and submit them to the

President of the Energy Regulatory Office (ERO) for cancellation. These must confirm: (i) that electricity is being generated in renewable sources; or (ii) that electrical energy is being generated in association with heat generation (cogeneration) or, if certificates of origin are not obtained or presented for cancellation in the required quantity, the payment of substitute charges. The quantity of certificates of origin which need to be obtained and cancelled results from legal provisions and is calculated as a percentage share of the electricity sold to end users. This share will increase in future years. Moreover, the amount of electricity we sell to end users may also increase. The sources of renewable energy or energy generated in cogeneration which we possess merely enable us to carry out our obligations regarding the cancellation of certificates of origin to a small extent. We are consequently forced to obtain certificates of origin from third parties or pay substitute charges, the amount of which increases each year. Because of the inadequate potential of sources generating such energy in Poland, we must expect an increase in the prices of certificates of origin on the market, which can result in a significant increase in the costs of our activities. There is no certainty that the increased prices of those certificates of origin or the substitute charges paid by us will be able to be reflected in the price of electricity sold to end users. If we are not able to obtain enough energy certificates on favourable terms, or if market conditions make it impossible to pass the higher costs incurred by us in relation to the acquisition of certificates of origin on to end users, this may have a negative effect on our cash flow and the margin we achieve. In consideration of the above, ENEA S.A. is taking steps to increase the volume of its production of electricity from renewable energy sources, and is investing in energy sources produced through cogeneration.

Distribution

Within our Group, the distribution of electricity is the responsibility of ENEA Operator Sp. z o.o. ("ENEA Operator"), which acts as the operator of the distribution system. The ENEA Operator distribution network covers approximately 20 per cent of the country, located in the north-western part of Poland. According to the most recent update, ENEA Operator has 124,505 km of power lines (together with connectors) and 33,965 electricity stations at its disposal.

Trade

In our Group, the wholesale trade of electricity and the retail sale of electricity to retail customers are the responsibility of ENEA S.A.

In Q3 2009, total sales from trading in electricity were 5,017.1 GWh.

Sales to retail customers amounted to 4,139.8 GWh, including 373.6 GWh to customers connected to a DSO power grid other than ENEA Operator.

As at 30 September 2009, the number of retail customers was approximately 2.3 million firms and households.

Other operations

The companies of our Group also conduct operations supplementary to the basic operations listed above, including:

(i) the construction, extension, modernisation and repairs of electrical power equipment and networks;

(ii) the design, construction, production and sale of electrical and power equipment and apparatus;
(iii) services related to the maintenance of street lighting and low-voltage networks;
(iv) transport services (including the sale, servicing, repair and leasing of vehicles); and
(v) social activities (tourist destinations, healthcare).

Description of changes in the structure of the Group

By a decision of the District Court in Poznań – Nowe Miasto i Wilda in Poznań, Division VIII Commercial of the National Court Register of 1 July 2009, a merger took place between companies in the area of 'measurements' through the takeover by Energomiar Sp. z o.o. with its registered office in Poznań (the acquiring company) of STEREN Sp. z o.o. with its registered office in Bydgoszcz (the target company). As a result of the merger, the share capital of the company Energomiar Sp. z o.o. amounted to PLN 2,749,000.00 consisting of 5,498 shares of a nominal value of PLN 500 each. All of those shares were acquired by ENEA S.A.

Presentation of the companies:

The business of Energomiar Sp. z o.o. with its registered office in Poznań (at ul. Strzeszyńska 58, 60-479 Poznań) is the production, repair, certification and sale of electricity meters and timing devices, and the supply and installation of air conditioning and electrical heating equipment.

The business of STEREN Sp. z o.o. with its registered office in Bydgoszcz (ul. Lenartowicza 33-35, 85-133 Bydgoszcz) was, up to the time of the merger, data transmission and teleinformatics; the production, installation, repair and maintenance of radio-controlled equipment; services in relation to the installation, repair and maintenance of electricity, hot water and gas meters; the installation of telecommunications equipment; the performance of structural computer networks; the wholeselling of computers and accessories, conductors, switches, radio-controlled equipment; telecommunications services, advice pertaining to computer equipment; and programming activities. ENEA S.A. was the only shareholder of that Company whose share capital amounted to PLN 200,000.00.

On 27 July 2009, Resolution No. 1 of the Extraordinary General Meeting of Shareholders increased the share capital of EnergoPartner Sp. z o.o. with its registered office in Poznań by PLN 200,000, and all the newly created shares were acquired by ENEA S.A. and subscribed for in cash.
On 31 August 2009, Resolution No. 1 of the Extraordinary General Meeting of Shareholders increased the share capital of EnergoPartner Sp. z o.o. with its registered office in Poznań by PLN 2,900,000, and all the newly created shares were acquired by ENEA S.A. and subscribed for in cash.
The business of EnergoPartner Sp. z o.o. is the development of wind farm projects in Poland.

II. Position of the Management Board in relation to the possibility of attaining previously published forecasts of the results of a given year

The Management Board of ENEA S.A. did not publish financial result forecasts for 2009 or for Q3 2009.

III. Shareholders holding 5 per cent or more of the votes at the issuer's general meeting of shareholders, directly or indirectly through subsidiaries, as at the publication date of the quarterly report, as well as indications of changes in the ownership structure of significant share stakes of ENEA S.A. during the period since the publication of the previous quarterly report

As at the date of publishing this quarterly report, the structure of shareholders holding more than five per cent of the total number of votes at ENEA S.A.'s General Meeting of Shareholders is as follows:

Shareholder name	Number of shares held	Number of votes held	Share in the share capital	Share of the total number of votes
State Treasury	337,626,428	337,626,428	76.48	76.48
Vattenfall AB	82,395,573	82,395,573	18.67	18.67
Others	21,420,577	21,420,577	4.85	4.85

In the period since the publication of the last quarterly report, the following changes have taken place in the ownership structure of major share stakes of ENEA S.A.:

IV. A list of holdings of the issuer's shares or rights to them by persons that manage or supervise the issuer as at the publication date of the quarterly report, together with an indication of the changes to the holdings in the period since the publication of the previous quarterly report, individually for each person

As at the date of issuing this report, Mr. Tadeusz Dachowski, Deputy Chairman of the Company's Supervisory Board, owned 300 shares of ENEA S.A.
As at the date of issuing this report, members of ENEA S.A.'s Management and Supervisory Boards did not own shares or ownership interests in subsidiaries of ENEA S.A.

V. Proceedings underway before courts, bodies appropriate for arbitration proceedings or public administration bodies:

a) proceedings related to the issuer's or its subsidiary's payables or debts, whose value is 10 per cent or more of the issuer's equity, including a description of: the subject of the proceedings, the value of the dispute, the date the proceedings were initiated, the parties to the initiated proceedings and the issuer's position.

As at the publication date of this report, no proceedings are underway whose value would amount to 10 per cent or more of ENEA S.A.'s equity.

b) two or more proceedings regarding payables and debt, whose total value corresponds to 10 per cent or more of the issuer's equity, with an indication of the total value of proceedings within the group of payables and debts, together with the issuer's position on this matter and, with regard to the biggest proceedings in the group of payables and the group of debts – with an indication of their subject, the value of the dispute, the date the proceedings were initiated and the parties to the initiated proceedings;

As at the publication date of this report, no proceedings are underway whose total value would amount to 10 per cent or more of ENEA S.A.'s equity.

A description of currently pending proceedings other than those specified above in which ENEA S.A. or an entity which belongs to the Group is a party can be found in Note No. 28.2-4 to the consolidated quarterly financial statements (p. 38 of this report).

VI. Information on the conclusion by the issuer or one of its subsidiaries of one or more transactions with affiliated companies, if they are individually or jointly significant and were concluded under non-market conditions.

In Q3 2009 the Group did not conclude significant transactions under non-market conditions with affiliated companies.

A description of other transactions concluded by the issuer or its subsidiaries with affiliated companies was included in Note No. 24 to the consolidated quarterly financial statements (p. 34 of this report).

VII. Information regarding the issuer or its subsidiaries granting credit or loan suretyships or guarantees – jointly to a single entity or a subsidiary of that entity, if the total value of the existing suretyships or guarantees is equivalent to 10 per cent or more of the issuer's equity

During the reporting period neither the issuer nor any of its subsidiaries granted credit or loan suretyships or guarantees – jointly to a single entity or a subsidiary of that entity, where the total value was equivalent to 10 per cent or more of the issuer's equity.

VIII. Other information which in the issuer's opinion is significant for evaluating its employment, asset or financial condition, its financial results or changes to them, as well as information that is significant for evaluating the issuer's ability to meet its obligations

Regardless of the information included in the remaining parts of the quarterly report, in the opinion of the Management Board the following information regarding ENEA S.A. should be kept in mind:

Strong market position

We have a strong market position in Poland in all segments of the electrical power market in which we conduct operations. We are among the four largest entities in Poland in the electricity generation, distribution and trade sector.

Effective generation assets

The Group's Kozienice power plant is one of the most efficient bituminous coal-fired power plants in Poland. It has modernised generation units which produce electricity while respecting the ecosystem in the vicinity of the company, in line with EU environmental protection norms. As one of the first power plants in Poland, construction has begun on two new power units of superior parameters with a capacity of 1000 MW each.

The Kozienice power plant has one of the lowest indicators of carbon dioxide emissions in Poland: in 2007 the level was 860 kg/MWh, in 2008 849 kg/MWh, and for Q1-Q3 2009, 882 kg/MWh. It also has one of the lowest indicators of coal used per MWh of electricity generated. The level in 2008 was 0.410 Mg/MWh.

A diversified client portfolio

The portfolio of clients to whom we sell electricity is diversified to a large extent.
As at 30 September 2009, ENEA S.A. provided comprehensive services (consisting of the sale of electricity and provision of distribution services) or sold electricity to more than 2 mln individual customers and approximately 0.3 mln business clients.
In Q3 2009, revenue from sales of electricity to the largest of our recipients amounted to approx. 4 per cent of the total value of sales of electricity and distribution services, and the share of the 10 largest recipients was slightly over 17 per cent.

Vertical integration

As a result of the inclusion of Elektrownia Kozienice in the Group in October 2007, we have become a vertically integrated power company. At the end of Q3, the vast majority of the electricity generated by the Kozienice power plant (approx. 90 per cent), with the exception of electricity sold on the balancing market and as part of regulation system services, as well as insignificant amounts sold to local recipients, was being sold to ENEA S.A.

Convenient location for developing wind farms

Investments in renewable wind power are a significant element of our strategy. Our distribution network covers the north-western part of Poland which, due to the prevailing atmospheric conditions in that part of the country – plenty of wind – is a good location for building wind farms. In the maritime region, recognised as an ideal area for constructing wind farms, the average wind speed is estimated as being more than 6 m/s. In 2009, we took steps to acquire wind farm projects in order to meet our obligations specified in the issue prospectus for reaching a target volume of installed power of from 300 to 500 MW, in compliance with the description pertaining to the use of revenues from the issue.

Tariffs

ENEA S.A. sells electricity to end users from the A, B and C tariff group sets (institutional recipients) as well as from the G tariff group set (households).

The “Tariff for Electrical Energy” for the A, B and C tariff group sets was adopted under Resolution No. 786/2008 of the Management Board of ENEA S.A. on 25 November 2008, and amended by Resolution No. 266/2009 of the Management Board of ENEA S.A. on 27 April 2009.

The sale of electrical energy for end users from the G tariff group connected to the ENEA Operator Sp. z o.o. network is carried out on the basis of the “Tariff for Electrical Energy” approved by the President of the ERO for the period ending 31 December 2009. That tariff, in compliance with Resolution No. 2/2009 of the Management Board of ENEA S.A. of 5 January 2009, came into force on 17 January 2009. The level of costs recognised as justifiable by the President of the ERA in that tariff is lower than the costs incurred by the Company under electricity purchase contracts concluded.

Risks relating to activities and the surroundings

Notwithstanding the above positive factors in an evaluation of the employment, property and financial situation and the financial result of the issuer and its Group, a series of factors exist which are identifiable as risks relating to the activities carried on and the surroundings in which they take place. Among these, attention should be drawn to the potential impact of events and circumstances described in the Report of the Management Board on the operations of the ENEA Capital Group published as part of the consolidated annual report on 30 April 2009 and in the Report of the Management Board on the operations of the ENEA Capital Group in the first half of 2009, published as part of the extended consolidated semi-annual report on 31 August 2009, as well as in Notes No. 28-31 on the consolidated quarterly financial statements (p. 38-43 of this report).

Collective disputes

Approximately 70 per cent of our employees belong to trade unions. The position of trade unions in the electricity sector is particularly strong due to the level of employment in the sector and its strategic impact on the functioning of the economy. Collective disputes with employees can lead to disruptions to our ongoing operations, including stoppages, and can also increase costs related to wages and salaries, which could adversely affect our business operations, financial standing, financial results or development prospects.

ENEA S.A. is a currently a party in two collective disputes:
- a collective dispute of 3 April 2009, which relates to an increase in the wages/salaries index in ENEA S.A. in 2009 - information on this event was disclosed in current report No. 26/2009 of 3 April 2009;
- a collective dispute of 7 September 2009, the subject of which are issues related to the procedure by which the Company discloses information (and the scope of that information) to employees relating to the ongoing privatisation process, i.e. information on the privatisation plan, the manner of guiding employees through the privatisation process and the impact of the possible change in the majority shareholder of the Company on the situation of its employees. Information on this event was disclosed in current report No. 51/2009 of 8 September 2009.
Both of the above disputes are in the negotiation stage.
On 24 September 2009, as a result of a meeting of the Management Board of ENEA Operator Sp. z o.o. and the Trade Unions, the parties resumed talks relating to a collective dispute reported to the State Labour Inspectorate on 12 May 2009 (current report No. 29/2009 of 12 May 2009).

Adjustment of stranded costs

In the 1990s, a system of long-term contracts (LTCs) was introduced in Poland, which was meant to enable electricity producers to obtain the financing necessary to carry out investments in production assets which were needed in the energy sector. In connection with the ongoing deregulation of the energy sector and reservations expressed by the European Commission, in 2007 Poland implemented a programme of early termination of long-term contracts by adopting the Act on Terminating LCTs. Elektrownia Kozienice was party to a long-term contract under which it sold approximately 40% of the electricity it produced. In connection with the Act on Terminating LCTs coming into force, that contract was subject to early termination as of 1 April 2008. As a result, electricity which had until then been sold on the basis of a long-term contract is now sold on the free market, where the price can differ from the price established in the long-term contract.

On the basis of the Act on Terminating LCTs, we are able to obtain compensation to cover so-called “stranded costs”, i.e. outlays which are not covered by revenues obtained from the sale of electricity produced, power reserves and systemic services on the competitive market after the early termination of a long-term contract, resulting from outlays incurred up to 1 May 2004 on assets associated with producing electricity. The compensation is paid during the year in the form of advance payments, the amount of which is adjusted by virtue of a decision of the President of the Energy Regulatory Office, according to the conditions set out in the Act on Terminating LCTs. The settlement of compensation to cover stranded costs for a particular year is carried out by the President of ERO by 31 July of the next year (the “annual adjustment”) and by 31 August after the last year of the term of the LCT (the “final adjustment”). The amount of the annual adjustment and the final adjustment carried out after the end of the term of the LCT depends on many factors, including the business results achieved by the producer (this applies to the Kozienice power plant) in the current period and in subsequent years, the volume of sales of electricity, and the average market prices of electricity.

The annual amount of that compensation, discounted as at 1 January 2007, cannot exceed the maximum amount of those costs specified in the Act on Terminating LCTs. For the Kozienice power plant, the maximum amount of stranded costs was set at PLN 623.6 mln (for the period 2007-2014).

In 2008, Elektrownia „Kozienice" S.A. received advance payments towards stranded costs from Zarządca Rozliczeń S.A. in the amount of PLN 93,132,000, of which PLN 80,976,000 was recognised in the financial statements for 2008 as revenues on account of compensation. On 5 August 2009, Elektrownia „Kozienice" S.A. received the Decision of the President of ERO of 31 July 2009 establishing the amount of the annual adjustment of stranded costs (i.e. of the advance payments previously received from Zarządca Rozliczeń S.A.) for Elektrownia „Kozienice" S.A. for 2008. According to that decision, the amount of the annual adjustment of stranded costs (i.e. the amount of the advance payments to be returned to Zarządca Rozliczeń S.A.) was established at PLN 89,537,000, which means revenues on account of compensation for 2008 were lower than the amount recognised by Elektrownia „Kozienice" S.A. in the financial statements for 2008 (and therefore in the consolidated report for ENEA Capital Group) by PLN 77,381,000.

In the opinion of the Management Board of Elektrownia „Kozienice" S.A. and ENEA S.A., the assumptions adopted when the President of ERO was establishing the Decision and the interpretation of the applicable act of 29 June 2007 on the principles for covering costs arising at manufacturers in connection with the termination of long-term contracts on the sale of power and electricity are in many respects erroneous and misapplied. Elektrownia „Kozienice" S.A. therefore filed an appeal on 19 August 2009 to the Regional Court in Warsaw, Court for Competition and Consumer Protection. The appeal included a motion that the enforcement of the decision to be delayed until the case has been settled. By a judgement of 23 September 2009, the Regional Court in Warsaw, Court for Competition and Consumer Protection, decided to delay the enforcement of the contested decision over and above the amount of PLN 44,768,000 and dismissed the remainder of the motion. On 30 September 2009, the Company's Management Board therefore decided to return a portion of the advance payment equal to the portion of the amount resulting from the Decision of the President of the ERO which had not been suspended by the Court. On 2 October 2009, Elektrownia „Kozienice" S.A. submitted a complaint to the above ruling to the Appeals Court in Warsaw, 6th Civil Division.

As at the date of drawing up this report, it is not possible to unequivocally state the results of the appeal against the above-mentioned decision. The Management Board of Elektrownia „Kozienice" S.A. decided to disclose an adjustment of revenues on account of compensation recognised in 2009 in the amount of PLN 27,035,000 and also to disclose an adjustment of revenues on account of compensation recognised in 2008 in the amount of PLN 77,380,000. Both of those adjustments are disclosed in the report on full income for the period 1 January to 30 September 2009 in the item "revenue from sales" (as amounts decreasing revenues from sales).

Additional information on the issue of stranded costs can be found in the issue prospectus for series C shares and in Note No. 25 on the consolidated quarterly financial statements (p. 36 of this report).

Privatisation

In accordance with the “Privatisation Plan 2008-2011” approved by the Council of Ministers on 22 April 2008, ENEA S.A. was identified as one of the energy groups to undergo privatisation in 2008-2011. The first stage of this process was the sale in 2008 of a packet of newly issued shares of the Company through its first public offer. In accordance with a resolution of the Council of Ministers of 11 August 2009, ENEA S.A. was placed on the list of key companies designated for privatisation in 2009. The final form of the further privatisation of the Company, its time frame and the size of the packet of shares designated for disposal by the State Treasury will depend solely on the decision of the Ministry of the State Treasury.

Information on transactions securing currency risk

As part of their operations neither ENEA S.A. nor its subsidiaries concluded any transactions securing currency risk in Q3 2009.

Awards and distinctions received by ENEA S.A. in Q3 2009

The ENEA Capital Group attained a high 11th place in the ranking of the 400 biggest Polish production companies in 2008, prepared by the business magazine Home & Media.

Among several factors taken into consideration by the ranking’s analysts, the most important was data on net revenues from sales.

ENEA S.A. was named a Good Reputation Business for 2009 in the category: Energy in the fourth edition of the PremiumBrand ranking 2009

The ranking was based on research conducted on the Polish market by the TNS OBOP institute. The reputation of brands and companies is assessed on the basis of the following criteria: people’s willingness to recommend the brand/business, media atmosphere, the business as an employer, the business’s community involvement, and the business as a business partner. In this year’s evaluation, 67 brands and 30 businesses took part.

IX. Factors that in the issuer’s opinion will influence the results it will achieve within at least the next quarter

One of the basic factors that will influence long-term results will be the execution of a development strategy for implementing the following strategic goals:

Raising operating efficiency

A basic element of our strategy is to constantly increase operating effectiveness, aimed at reducing costs, and in effect to increase the profitability of our operations. In order to achieve this goal, within the next few years we intend to:

- carry out further investments in the distribution network in order to connect new clients to the grid and to ensure the delivery of electricity with given parameters, such investments including expanding the network and replacing the most problematic sections of power lines;
- make the management of the distribution network more efficient in order to limit losses primarily resulting from the illegal use of electricity, by systematic inspections and regular monitoring, as well as the introduction of a system that will make efficient reporting on the status of the power grid possible;

- carry out further investment with regard to the modernisation of the Kozienice power plant, aimed at maintaining the optimal efficiency of electricity generation and raising the reliability of generation, as well as limiting the impact of this on the natural environment. To that end, among other investments, in 2008 the construction of three desulphurisation installations began, which should be completed and handed over for use in 2011. A tender procedure is currently underway to select a contractor to replace the electrofilter of power unit No. 10. In the future, the modernisation of the two last electrofilters in power units No. 3 and No. 8 is also planned, as is the construction of an installation for the catalytic denitrogenation of emissions in power units No. 4 to 10;
- conclude the integration of generation operations with trading, including within the scope of integrating the computer systems of ENEA S.A. and Elektrownia Kozienice, which will make the optimisation of production capacity use at the Kozienice power plant possible;
- make customer service more efficient, including by introducing computer-based CRM solutions (i.e. those supporting customer relations management);

- restructure the Group by: cost optimisation, (ii) adjusting the principles for the functioning of segments with similar operational profiles within the Group's companies and indicating operational areas which can be eliminated that do not constitute the Group's core business areas or functions supporting those areas, and (iii) reducing the number of ENEA S.A. subsidiaries. As part of the restructuring of the Group in Q3 2009, under a decision of 1 July 2009 by the District Court for Poznań – Nowe Miasto i Wilda in Poznań, Division VIII Commercial of the National Court Register, a merger took place in the area of 'measurements' through the takeover by Energomiar Sp. z o.o. with its registered office in Poznań (the acquiring company) of STEREN Sp. z o.o. with its registered office in Bydgoszcz (the target company).

Increasing existing and obtaining new generating capacity

Our long-term strategic goal is to obtain access to our own power generation sources with a potential that would make it possible to at least satisfy the electricity needs of all Group clients.

The first step in implementing this strategy was the acquisition in October 2007 of the Kozienice power plant, the biggest bituminous coal-fired power station in Poland in terms of pull-out power. We are systematically analysing the possibility of acquiring more entities that are active in the field of generating electricity on the basis of conventional sources.

Apart from the possibility of obtaining additional production capacity through taking over existing entities, we are also planning to increase production capacity by building new units, including on the grounds of Elektrownia Kozienice, where by 2015 we plan to complete a new unit with a total capacity of approximately 1,000 MW, and by 2016 another unit also with a total capacity of approximately 1,000 MW.

Investments in renewable energy sources and in cogeneration of power and heat

Only to a small extent does the Group's current generating capacity allow it to meet the requirements for obtaining renewable energy and cogeneration certificates. Due to the forecast increases in the requirements with regard to renewable and co-generated energy sources, we are taking action to increase control over costs related to the fulfilment of the requirements of the law within this scope. From the various types of renewable energy sources, bearing in mind their availability and financial effectiveness, in Poland the main investment opportunities are biogas power stations, biomass power stations, wind power stations, hydro-electric power stations and biomass co-combustion. On the basis of technical/technogical, organisational, business/financial and legal considerations and the development trends of individual RESs in Poland in recent years, ENEA S.A. is planning to treat biogas power stations and wind power stations as priority investment directions in the area of RESs. Investments in technologies for biomass combustion in cogneration sources will also be considered. We intend to continue activities pertaining to the acquisition of selected thermal power stations and thermal-electric power stations from municipalities and other local entities. The acquired entities will generate electricity in cogeneration, which will enable us to obtain additional energy certificates. In addition, in the north-western part of Poland in particular, we intend to invest in wind farm projects at various stages of development by acquiring existing entities or making joint investments with outside entities. We are also planning to carry out investments in the construction of biogas and biomass-fuelled power plants in a distributed system.

Further vertical integration of our activities

In view of the liberalisation of the market that is taking place and the Polish government's privatisation plans, we are examining the possibility of securing access to our own sources of coal by taking over existing bituminous and brown-coal mines. Together with Kopalnia Węgla Brunatnego Konin w Kleczewie S.A., ENEA S.A. has established a company named PWE Gubin Sp. z o.o. with its registered office in Sękowice ("PWE Gubin"), whose goal is to search for brown-coal deposits in the districts of Gubin and Brody located near the Polish-German border, and in due course to build a strip mine and power plant. Currently, PWE Gubin is at the stage of preparing an investment project in connection with the construction of a brown-coal strip mine together with a brown-coal-fired power plant with a capacity of approximately 800 MW (with potential for expansion to 3 x 800 MW capacity). Moreover, an agreement has been signed on preparing and arranging an expert opinion on the impact of connecting the brown-coal mine and new power plant to the national electrical power system. As part of the above-mentioned activities in Q3 2009, an initial feasibility study on the construction of the mine has been carried out. The new company is carrying out actions aimed at obtaining a concession for identifying brown-coal deposits in the districts of Gubin and Brody, currently held by Kopalnia Węgla Brunatnego Konin w Kleczewie S.A. The continued vertical integration of our operations by taking over mines will make better control over fuel costs possible, and as a result it should help limit the risk of significant increases of their prices in the future.