

DTEK ENERGY B.V. ANNOUNCES GUARANTOR ACCESSION AND RELEASES IN INDENTURE

24 July 2023

DTEK Energy B.V. (the “**Issuer**”) announced today that:

- (i) the Notes Guarantee of DTEK Finance plc (the “**New Subsidiary Guarantor**”) has been added (the “**Guarantor Accession**”) and
- (ii) the Notes Guarantees of DTEK Trading S.A. (“**DTSA**”) and DTEK Dobropolyeugol LLC (“**DDLLC**”, together with DTSA, the “**Existing Subsidiary Guarantors**”) have been released (the “**Guarantor Releases**”)

with respect to the 7.0/7.5% Senior Secured PIK Toggle Notes due 2027 originally issued by DTEK Finance plc, with DTEK Energy B.V. as successor issuer to DTEK Finance plc (ISIN: XS2342930521) (the “**Notes**”).

Capitalised terms used in this announcement but not otherwise defined have the meanings given to them in the indenture governing the Notes (the “**Indenture**”). This announcement is being made pursuant to section 9.06 of the Indenture.

Guarantor Accession

The Guarantor Accession was undertaken pursuant to section 4.22 of the Indenture. On 21 July 2023, a supplemental indenture has been entered into by the Issuer, the New Subsidiary Guarantor and GLAS Trust Company LLC, as trustee (the “**Trustee**”) and a notation of indenture guarantee has been executed by the New Subsidiary Guarantor, pursuant to which the New Subsidiary Guarantor will guarantee all of the Issuer’s obligations under the Notes and the Indenture.

Guarantor Releases

DTSA was designated as a Designated Liquidation Party by a Qualified Resolution dated 8 June 2023. The Notes Guarantee provided by DTSA pursuant to the notation of indenture guarantee dated 17 May 2021 has been automatically and unconditionally released in accordance with section 11.04(e) of the Indenture. On 24 July 2023, a release agreement has been entered into by DTSA and the Trustee to effect and evidence such automatic release provided by section 11.04(e) of the Indenture.

The liquidation proceedings of DDLLC, a Liquidation Party under the Indenture (which, for the avoidance of doubt, is not a Significant Subsidiary) commenced on 12 October 2022 in accordance with the Resolution of the Commercial Court of Donetsk region in case No. 905/1977/21. The Aggregate Liquidation Value does not exceed the Aggregate Liquidation Threshold at the date in question or as a result of or in connection with the commencement of such proceedings. As a result, the Notes Guarantee provided by DDLLC pursuant to the deed of surety dated 17 May 2021 has been automatically and unconditionally released in accordance with section 11.04(e) of the Indenture. On 24 July 2023, a notice was delivered to the Trustee evidencing such automatic release which was acknowledged by the Trustee.

The rights of Holders pursuant to the Notes are not affected by the Guarantor Accession or the Guarantor Releases, save that any recourse under the Notes, the Indenture, and the Security Documents shall be to the New Subsidiary Guarantor but not the Existing Subsidiary Guarantors.

General

No action is required in response to this announcement. If you need further information about the Guarantor Accession or the Guarantor Releases, please contact the Issuer.

DTEK Energy B.V.

Strawinskylaan 1531, Tower B, Level 15, grid TB-15-046/089
1077XX, Amsterdam, the Netherlands

DISCLAIMER

No offer or invitation to acquire or exchange any securities is being made pursuant to this announcement. This announcement contains important information, which must be read carefully before any decision is made with respect to the Notes. If any Holder is in any doubt as to the action it should take, it is recommended to seek its own legal, tax and financial advice, including as to any tax consequences, from its stockbroker, bank manager, solicitor, accountant or other independent financial adviser. None of the Issuer, the New Subsidiary Guarantor, the Existing Subsidiary Guarantors, the Trustee or their respective directors, employees or affiliates makes any recommendation as to whether Holders should take any action in response to this announcement and none of the Issuer, the New Subsidiary Guarantor, the Existing Subsidiary Guarantors or the Trustee will have any liability or responsibility in respect thereto.