

2021

Report of the RWE Group on payments made to public authorities pursuant to Section 341 q-y of the German Commercial Code

Payment report of the RWE Group

Basis of the report

Pursuant to Section 341q of the German Commercial Code, large stock corporations and large commercial partnerships with domestic headquarters that are active in the mineral extraction industry or logging in primary forests are obligated to prepare an annual payment report.

Headquartered at RWE Platz 1 in 45141 Essen, Germany, RWE AG is a stock corporation as defined by Section 341q of the German Commercial Code. As a parent company as defined by Section 290 of the German Commercial Code, pursuant to Section 341v, Paragraph 1 of the German Commercial Code, RWE AG is obligated to prepare a report as at least one of its subsidiaries is active in the mineral extraction industry. None of the RWE Group companies is currently active in the logging business in primary forests.

Pursuant to Section 341s, Paragraph 2 of the German Commercial Code, stock corporations included in the consolidated payment report are exempt from the obligation to prepare their own payment report.

Reportable payments are those made to public authorities if at least €100,000 in payments are made to a single public authority (Section 341t, Paragraph 4 of the German Commercial Code) and one of the reasons for the payments is in accordance with Section 341r, Item 3 of the German Commercial Code. Disclosure on such payments must be broken down by receiving public entity, reason of payment and project.

Companies included in the report with activities in the mineral extraction industry

Activities in the mineral extraction industry as defined by Section 341r, Item 1 of the German Commercial Code are necessary in the RWE Group due to the opencast mines used for electricity generation from lignite (NACE Code A0520 pursuant to EU Regulation No. 1893/2006). The term 'activity' as defined by Section 341r, Paragraph 1 of the German Commercial Code is interpreted by the RWE Group within the meaning of the infection theory for the reporting duty. Therefore, it must be determined which fully consolidated Group companies are active in the mineral extraction industry as of 31 December of every year. Companies with a reporting duty within the RWE Group in fiscal 2021 were RWE Power AG ("RWE"), Cologne and Essen, due to its opencast mining operations, and Rheinische Baustoffwerke GmbH ("RBS"), Bergheim, the business activities of which consist of gravel and sand extraction. Both of these companies are domiciled in Germany and made payments to German state authorities.

RWE Power AG, Cologne and Essen

The fields of business of RWE, a subsidiary wholly owned by RWE AG, are the commercial operation and maintenance of its power stations consisting of lignite-fired and hydroelectric power plants as well as of the opencast mines in Germany.

For the preparation of the payment reports, the opencast mines are considered projects.

Rheinische Baustoffwerke GmbH, Bergheim

RBS is a subsidiary wholly owned by RWEP and operates plants for the extraction of gravel and sand. The main market is largely in the greater Cologne-Düsseldorf-Krefeld-Aachen area where RBS ranks among the largest gravel and sand companies. Furthermore, RBS operates receiving points for uncontaminated excavated earth and rubble and trades in purchased building materials (gravel and sand as well as solid rocks such as basalt and lava).

The gravelworks are jointly presented as a single project.

Payment report of the RWE Group for fiscal 2021

Recipient /project (Figures in €)	Usage fees	Payments for infrastructure improvements	SUM
Düsseldorf District Administration			
Garzweiler opencast mine		1,004,000	1,004,000
Sum		1,004,000	1,004,000
Cologne District Administration			
Across all projects		1,370,368	1,370,368
Sum		1,370,368	1,370,368
Entwicklungsgesellschaft indeland mbH			
Inden opencast mine		1,057,488	1,057,488
Sum		1,057,488	1,057,488
Erft Water Authority			
Gravelworks		13,574	13,574
Across all projects		4,113,174	4,113,174
Sum		4,126,748	4,126,748
Bergheim Tax Authority			
Hambach opencast mine		1,284,074	1,284,074
Sum		1,284,074	1,284,074
Düren Tax Authority			
Hambach opencast mine		239,588	239,588
Sum		239,588	239,588
Erkelenz Tax Authority			
Gravelworks		48,707	48,707
Garzweiler opencast mine		2,315,541	2,315,541
Sum		2,364,248	2,364,248
Jülich Tax Authority			
Hambach opencast mine		465,115	465,115
Sum		465,115	465,115
Cologne South Tax Authority			
Hambach opencast mine		273,837	273,837
Sum		273,837	273,837
SUBTOTAL	-	12,185,466	12,185,466

Recipient /project (Figures in €)	Usage fees	Payments for infrastructure improvements	SUM
CARRYFORWARD	-	12,185,466	12,185,466
Municipality of Inden			
Inden opencast mine		273,775	273,775
Sum		273,775	273,775
Merzenich Municipal Treasury			
Hambach opencast mine		136,163	136,163
Sum		136,163	136,163
IRR Innovationsregion Rheinisches Revier			
Across all projects		122,500	122,500
Sum		122,500	122,500
Kolping City of Kerpen			
Gravelworks	118,878		118,878
Hambach opencast mine		29,002	29,002
Sum	118,878	29,002	147,879
District of Düren			
Hambach opencast mine		133,647	133,647
Sum		133,647	133,647
District City of Bergheim			
Hambach opencast mine		2,111,221	2,111,221
Sum		2,111,221	2,111,221
Heinsberg District Waterworks			
Garzweiler opencast mine		347,490	347,490
Sum		347,490	347,490
Kreiswerke Grevenbroich GmbH			
Garzweiler opencast mine		109,206	109,206
Sum		109,206	109,206
NRW Nature, Environment and Consumer Protection Agency			
Gravelworks	100,446		100,446
Garzweiler opencast mine	1,105,424		1,105,424
Hambach opencast mine	9,930,161		9,930,161
Inden opencast mine	2,713,895		2,713,895
Across all projects		224,971	224,971
Sum	13,849,926	224,971	14,074,896
SUBTOTAL	13,968,803	15,673,439	29,642,242

Recipient /project (Figures in €)	Usage fees	Payments for infrastructure improvements	SUM
CARRYFORWARD	13,968,803	15,673,439	29,642,242
Geological Bureau of the State of North Rhine-Westphalia			
Across all projects		290,938	290,938
Sum		290,938	290,938
NRW Roadworks Agency			
Hambach opencast mine		322,620	322,620
Sum		322,620	322,620
NEW Netz GmbH			
Garzweiler opencast mine		497,538	497,538
Sum		497,538	497,538
Rhine District of Neuss			
Across all projects		250,000	250,000
Sum		250,000	250,000
City of Brühl			
Across all projects		649,364	649,364
Sum		649,364	649,364
City of Erkelenz			
Gravelworks		29,344	29,344
Garzweiler opencast mine		978,447	978,447
Sum		1,007,791	1,007,791
City of Eschweiler			
Inden opencast mine		383,114	383,114
Sum		383,114	383,114
City of Grevenbroich			
Garzweiler opencast mine		136,999	136,999
Sum		136,999	136,999
Stadtwerke Jülich GmbH			
Hambach opencast mine		172,593	172,593
Sum		172,593	172,593
SEG/Neuland Hambach GmbH			
Hambach opencast mine		205,596	205,596
Sum		205,596	205,596
SUBTOTAL	13,968,803	19,589,993	33,558,796

Recipient /project (Figures in €)	Usage fees	Payments for infrastructure improvements	SUM
CARRYFORWARD	13.968.803	19.589.993	33.558.796
Technical University of Dresden			
Across all projects		175.169	175.169
Sum		175.169	175.169
Eifel-Rur Water Association			
Across all projects		431.367	431.367
Sum		431.367	431.367
Joint Cologne Peripheral Channel Association			
Across all projects		745.000	745.000
Sum		745.000	745.000
Garzweiler Opencast Mine Consequence(s) Association			
Garzweiler opencast mine		206.000	206.000
Sum		206.000	206.000
SUM TOTAL	13.968.803	21.147.529	35.116.332

- ① RWEP's opencast mine development work normally involves swapping assets – in particular land – with the municipalities located within the opencast mining area and with other state authorities. If the value of the assets relinquished is below the value of the assets received, compensatory payments are made by RWEP to the corresponding state authorities. These compensatory payments are included in the balance of payment report (cf. IDW comments 1/2017, note 84).
- ② The usage fees paid to the Nature, Environment and Consumer Protection Agency of the State of North Rhine-Westphalia are water withdrawal fees paid by RWEP and RBS. Credits in the period

under review relating to water withdrawal fees paid in earlier years were not deducted (cf. IDW comments 1/2017, note 73).

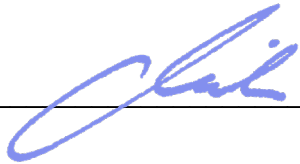
- ③ Reported payments to the Garzweiler Opencast Mine Consequence(s) Association, Entwicklungsgesellschaft indeland mbH, Strukturentwicklungsgesellschaft (SEG)/Neuland Hambach GmbH and the District City of Bergheim include payments in kind resulting in part from transfers of use. Payments to the City of Eschweiler include payments in kind resulting from land transfers. Payments in kind were valued on the basis of the costs incurred by RWEP to provide them and of market values.
- ④ RWEP and RBS are controlled companies that belong to the tax group of RWE AG. The corporate and trade tax payments made by RWE AG as controlling company are not reported as the activities of RWEP and RBS in the mineral extraction industry are not the focal point of the activities of the RWE Group. In accordance with the IDW comments 1/2017, note 109, the tax payments are not categorised.

Essen, 30. May 2022

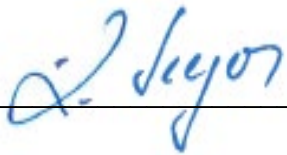
The Executive Board



Krebber



Müller



Seeger