



## Update on the claims relating to the allocation of additional 20TWh of electricity for 2022

Further to its press releases of 13 January 2022 <sup>1</sup> and 9 August 2022 <sup>2</sup>, EDF announces today that it is filing a claim for indemnification with the Paris Administrative Court in order to obtain full compensation from the French State for the damages it has suffered as a result of the additional allocation of a maximum volume of 20TWh of electricity sold at regulated prices from April to December 2022 (the "Scheme")<sup>3</sup>.

This liability claim follows the filing of a claim for annulment with the *Conseil d'Etat* (the French administrative supreme court), which is currently under investigation, and the filing of a prior claim for indemnification with the French State, which was implicitly rejected on 9 October 2022.

Said claim with the Paris Administrative Court seeks compensation from the French State for the damages suffered directly by EDF as a result of the implementation of the Scheme. These damages represent an estimated principal amount of EUR 8.34 billion, the main heads of damages being the following:

- the cost of the operation whereby EDF purchased (at a price of EUR 257.95 per MWh) and then resold to alternative suppliers (at a price of EUR 46.2 per MWh) volumes of electricity and associated capacity guarantees under the Scheme;
- the direct and certain effects of the Scheme on the level of regulated electricity sales tariffs (EDF being the main supplier of electricity at these regulated tariffs) due to the method of calculation of these tariffs defined by the French Energy Code;
- the direct and certain effects of the Scheme on the level of EDF's market-price offers in application of the decision of 31 March 2022 taken by the Energy Regulation Commission (CRE) setting the terms of the passing on of the Scheme to customers of supply offers.

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<sup>1</sup> See press release "Exceptional measures announced by the French Government" on 13 January 2022

<sup>2</sup> See press release "Legal claim concerning the allocation of additional electricity volumes at a regulated price for 2022" on 9 August 2022

<sup>3</sup> Resulting from the following regulations:

Decree n°2022-342 of March 11, 2022, defining the specific terms and conditions for the allocation of an additional volume of electricity that can be allocated in 2022, on an exceptional basis, as part of the regulated access to historic nuclear power (ARENH).

The Order of March 11, 2022, issued in application of Article L. 337-16 of the French Energy Code and setting the price of additional electricity volumes to be sold under the exceptional delivery period introduced by decree n°2022-342 of March 11, 2022 defining the specific terms and conditions for the allocation of an additional volume of electricity that can be allocated in 2022, on an exceptional basis, as part of the regulated access to historic nuclear power (ARENH).

The Order of March 11, 2022, setting the maximum overall volume of electricity to be sold by Electricité de France under the regulated access to historic nuclear power, issued in application of Article L. 336-2 of the French Energy Code.

The Order of March 12, 2022, on the terms and conditions for the sale of additional capacity guarantees in connection with the complementary ARENH delivery period starting on April 1, 2022, issued in application of Article R. 335-69 of the French Energy Code.

The Order of March 25, 2022, amending the Order of April 28, 2011, issued in application of Article 4-1 of law 2000-108 of February 10, 2000, on the modernization and development of public electricity services.

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**About EDF**

As a major player in energy transition, the EDF Group is an integrated energy company active in all businesses: generation, transmission, distribution, energy trading, energy sales and energy services. EDF group is a world leader in low-carbon energy, having developed a diverse production mix based mainly on nuclear and renewable energy (including hydropower). It is also investing in new technologies to support energy transition. EDF's raison d'être is to build a net zero energy future with electricity and innovative solutions and services, to help save the planet and drive well-being and economic development. The Group is involved in supplying energy and services to approximately 38.5 million customers (1), of whom 29.3 million in France (2). It generated consolidated sales of €84.5 billion in 2021. EDF is listed on the Paris Stock Exchange.

*(1) Since 2018, customers are counted per delivery site. A customer can have two delivery points: one for electricity and another one for gas.*

*(2) Including ÉS (Électricité de Strasbourg) and SEI.*

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