

DISPUTE RESOLUTION

1. AMICABLE SETTLEMENT

Axpo Ukraine always takes all reasonable efforts to amicably settle any disputes with its customers out-of-court in a fair, transparent and swift manner.

Thus, in accordance with the standard Gas Supply Agreement of Axpo Ukraine, Axpo Ukraine and its customers shall try to settle all disputes by negotiations before referring any such dispute to court.

The consumer has the right to submit a complaint to the contact person of Axpo Ukraine responsible for dispute settlement. Axpo Ukraine considers all received complaints during a reasonable time and informs the consumer on the results of their consideration.

2. CONTACT PERSON RESPONSIBLE FOR DISPUTE RESOLUTION

Contact person: Sergii Onyshchuk

Telephone: +380 44 498 51 64

E-mail: Sergii.Onyshchuk@axpo.com

Working hours: 9:00 – 18:00

Address: 04070, Kyiv, 25-B Sagaydachnogo Street

3. RESOLUTION OF DISPUTES BY THE REGULATOR

If parties fail to reach amicable settlement, the consumer has also the right to submit its complaint to the National Commission for State Regulation of the Energy and Public Utilities Sector (the “**Regulator**”) in accordance with the Article 21 of the Law of Ukraine No. 1540-VIII On the Regulator dated 22 September 2016. The Regulator has the authority to consider complaints of consumers regarding violation of their rights and interests and adjudicate disputes on following matters between enterprises that perform activities in the sphere of energy and communal services. In particular, the Regulator may review complaints relating to:

- access/connection to the gas grid;
- compliance of enterprises with licensing conditions;
- quality of goods and services that are provided to the consumer within spheres of energy and communal services;
- other matters that are within the competence of the Regulator in accordance with the law.

The Regulator considers complaints of consumers in accordance with the Law of Ukraine No. 393/96-BP On Public Petitions dated 2 October 1996 and adjudicates the disputes in accordance with the procedure approved by the Regulator.

The Regulator has the right to request from the enterprises that perform their activities in the sphere of energy and communal services copies of documents, explanations and other information necessary for establishment of actual circumstances of the case and for adjudication of the disputes.

Until issuance of the decision on disputed matter, the Regulator has the right to perform preliminary hearings with interested parties and, if necessary, perform extraordinary inspections.

On the basis of complaint consideration, the Regulator issues the decisions on:

- suspension of violation of the respective legislation by the enterprise that performs its activities in the sphere of energy and communal services;
- suspension of violation of the licensing conditions by the enterprise that performs its activities in the sphere of energy and communal services;
- imposition of fine on the enterprise that performs its activities in the sphere of energy and communal services in accordance with the established procedure; and
- suspension of the complaint consideration.

The decisions of the Regulator is mandatory and may be appealed in the court.

Consumer and supplier are also not limited in their right to apply to the Regulator or its territorial bodies for clarifications regarding legal relationship on the natural gas market and applicable legislation.

4. DISPUTE RESOLUTION

As a measure of last resort, if Axpo Ukraine and its customers fail to reach amicable settlement in a dispute relating to gas supply, such dispute may be referred to and finally resolved by Ukrainian courts having adequate jurisdiction under Ukrainian law.