



Press Release
October 13, 2021

Uniper takes legal action against non-admission of appeal in Datteln 4 proceedings

- **Uniper maintains that Datteln 4 has a lawful permit**
- **City of Datteln has already filed a complaint**
- **Federal Administrative Court in Leipzig will decide on admission of the appeal**

Uniper has filed a complaint against the non-admission of the appeal in relation to the judgements of the Higher Administrative Court of North Rhine-Westphalia (OVG) of 26 August. In three parallel proceedings, the OVG had declared the City of Datteln's 2014 development plan for the Datteln 4 hard-coal-fired power plant invalid at the request of the City of Waltrop, BUND NRW and four private individuals.

Specifically, the OVG had objected on the grounds that it believes the city of Datteln's development plan was based on an incorrect assessment of possible alternative sites at the regional planning level. The court did not admit an appeal. Uniper is an interested party to the proceedings as the owner and thus has the right to appeal. The City of Datteln, as the direct defendant in the proceedings, has also filed a non-admission complaint.

The Datteln 4 power plant is built on the basis of enforceable permits and has been operated since 2020 on the basis of an emission control permit from 2017. It is one of the most efficient hard-coal-fired power plants in the world and, in addition to electricity for public supply, also supplies traction power and district heating through cogeneration. Around 100,000 households in the city and region are thus supplied with environmentally friendly heat. Datteln 4 is designed for rapid load changes. This high degree of flexibility makes the power plant a reliable partner for renewable energies.

Sirpa-Helena Sormunen, General Counsel and Chief Compliance Officer at Uniper: "After analysing the reasoning of the judgement, it is clear that the issues raised by the OVG require clarification at the highest judicial level, the Federal Administrative Court in Leipzig. Uniper maintains that the permit granted to the power plant and the underlying development and regional planning are lawful. Datteln 4 is a reliable source for supplying our customers with electricity and heat in a highly efficient manner."

About Uniper

Uniper is an international energy company with around 12,000 employees in more than 40 countries. The company plans to make its power generation CO₂-neutral in Europe by 2035. With about 35 GW of installed generation capacity, Uniper is among the largest global power generators. Its main activities include power generation in Europe and Russia as well as global energy trading, including a diversified gas portfolio that makes Uniper one of Europe's leading gas companies. In 2020, Uniper had a gas turnover of more than 220 bcm. Uniper is also a reliable partner for municipalities, public utilities, and industrial companies for developing and implementing innovative, CO₂-reducing solutions on their way to decarbonizing their activities. As a pioneer in the field of hydrogen, Uniper has set itself the target of operating worldwide along the entire

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value chain in the future and implementing projects that will make hydrogen the mainstay of the future energy supply.

The company is headquartered in Düsseldorf and currently the third-largest listed German utility. Together with its main shareholder Fortum, Uniper is also the third-largest producer of CO₂-free energy in Europe.

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