

RWE

Aktiengesellschaft

Essen

Counter motions by Dipl. Ing. agr. Johann Smid, Pewsum, in respect of the Annual General Meeting of RWE AG on 23 April 2015

“Counter motions in respect of RWE’s 2015 Annual General Meeting

I hereby file the following counter motions in respect of the Annual General Meeting of RWE AG on 23 April 2015:

Counter motion in respect of item 3 on the Agenda: Approval of the acts of the Executive Board for fiscal 2014

I hereby file a motion against approving the acts of the Executive Board.

Rationale:

Trial run of the RWE/Essent coal-fired power station in Eemshaven, Netherlands

On 16 April 2014, the Raad van State in the Hague handed down an interlocutory ruling on the environmental permit for the RWE coal-fired power plant in Eemshaven concurrently to the beginning of the RWE Annual General Meeting. Conclusion: the effects of nitrogen emissions (2,060 mt of nitrous oxides p.a.) on two Natura 2000 areas in the north of the Netherlands remain to be examined, as do the effects of the introduction of mercury (95 kg p.a./4.75 mt over the power station’s 50-year lifetime) into the Wadden Sea. The studies have been prepared. The hearing and the final ruling are expected to take place in the second half of 2015.

On 14 May 2014, the RWE Executive Board member Günther said that the completion of the Dutch hard coal-fired power station at Eemshaven, which has a total of about 1.6 gigawatts, would be delayed by half a year due to boiler damage. He added that the cause would be investigated and that the dual-block power plant would go online in two stages, i.e. in the middle and the end of 2014. Thereupon, we, the plaintiffs of the class action, Borkum, Krummhörn and Jemgum refrained from filing an expedited motion against the trial run of the RWE coal-fired power station, as did the environmental organisations in the Netherlands, which have also filed a lawsuit. From the middle of June onwards, however, we saw huge plumes of smoke rising from the RWE coal-fired power plant. I was informed of the following over the telephone:

1. The boiler of unit A does not need to be replaced. It has been repaired. Unit A is back on its trial run.

2. Unit B is also undergoing a trial run.
3. The trial run is back on schedule.

If a major group such as RWE uses methods and misinformation of this kind, sustainable management and the citizens' trust in RWE is being undermined significantly!

Based on information provided by RWE, the RWE coal-fired power station emits approximately 8 to 10 million metric tons of carbon dioxide, 1,750 metric tons of carbon monoxide, 2,060 metric tons of nitrous oxides, 1,454 metric tons of sulphur dioxide, 103 metric tons of particulate fines, 17 metric tons of hydrogen fluoride, 95 kilogrammes of mercury, 3 kilogrammes of cadmium/thallium and 472 kilogrammes of other highly toxic substances. It consumes approximately 10,000 metric tons of hard coal and approximately 6 million cubic metres of cooling water every day. **The RWE coal-fired power plant is ruining our health, the climate, nature, the fishing industry and tourism in our region, the west of East Friesland! The areas that are particularly affected are Borkum, Juist, Krummhörn (Greetsiel) and Emden as well as the Wadden Sea world natural heritage.**

On 28 March 2011, Peter Terium himself said: Het renedement is niet meer economisch op dit moment; i.e. generating electricity from coal is not profitable at present. He also said that, based on current knowledge, a coal-fired power station would no longer be built in Eemshaven (DvhN, 11 February 2012). It is true, as Mr. Terium said at the 2013 AGM, that RWE needs to receive 6 euro cents per kilowatt in order to cover its running costs, whereas an average of merely 3.5 to 4.5 euro cents per kWh were/are being paid on the Amsterdam Stock Exchange in 2014/2015, i.e. **RWE Eemshaven generates a loss of 1 to 2 euro cents for every kWh produced!**

On 19 May 2015, the hearing regarding the deepening of the Eemshaven navigation channel to 16 metres will be held before the Raad van State. The objective is to allow large Panamax coal ships with a draught of 14 metres and a hard coal payload of 80,000 metric tons to dock in the port of Eemshaven and thus supply the RWE coal-fired power plant with hard coal at low cost. The dredged material—6,250 million metric tons—which is to be dumped at four points in the Ems estuary, will pollute the Borkum beaches and destroy the Greetsiel and Ditzum fishermen's remaining fishing grounds in the Ems estuary. What the Raad van State really ought to do is first decide on whether the RWE coal-fired power plant should receive an operating permit once and for all and then reach a decision on the deepening of the Eemshaven navigation channel!

The power station's economic benefit is highly doubtful, whereas the damage to Borkum, Krummhörn and the entire western part of East Friesland is huge. The RWE coal-fired power station has been undergoing trial runs since December 2013. The plume of smoke and steam is still visible on clear days. This alone scares off many vacationers and tourists. The deepening of the Eemshaven navigation course and the dredging pollute the

beaches of Borkum and destroy the remaining Greetsiel and Ditzum fishing grounds. Considering the fact that Borkum is a spa for respiratory diseases and the Krummhörn and Rheiderland also have a big tourism industry thanks to Greetsiel and Ditzum, one can only hope that the operating permit for the RWE coal-fired power station in Eemshaven is withdrawn and that the deepening of the Eemshaven navigation course is not approved!

**Counter-motion in respect of item 4 on the Agenda:
Approval of the acts of the Supervisory Board for fiscal 2014**

I hereby file a motion against approving the acts of the Supervisory Board.

Rationale:

The Supervisory Board also failed to put a stop to the risky investment of approximately 3 billion euros in the RWE coal-fired power plant in Eemshaven in 2014. The operation/trial run of the coal-fired power station causes RWE to incur higher losses!

Dipl. Ing. agr. Johann Smid,
Councillor of the Community of Krummhörn

Krummhörn - Pewsum, 7 April 2015"