

Current Report No. 52/2012

Drawn up on: 9 November 2012

Subject: Exceeding, the value of the orders submitted by Aero2 under a cooperation agreement with Polkomtel by the threshold of 10% of equity of NFI Midas S.A.

Legal basis: Article 56 par. 1 pt. 2 of the Public Offering Act - current and periodic information.

The Management Board of NFI Midas S.A. (the "Fund") announces that, on 9 November 2012, it received notification from the subsidiary Aero 2 Sp. z o.o. ("Aero2" or the "Party") of the submission by Aero2, on 8 November 2012, of two orders whose total value calculated on the basis of a five-year period of providing the services covered in those orders was PLN 591.4 million. The aforementioned orders were submitted as part of carrying out the cooperation agreement on the mutual provision of services, using telecommunications infrastructure (the "Agreement"), concluded on 30 March 2012 with Polkomtel Sp. z o.o. ("Polkomtel" or the "Strona", and jointly with Aero2 as the "Parties"), which the Fund announced in Current Report No. 22/2012 of 30 March 2012. As a result of submitting the above orders, the total value of the orders submitted from 30 March 2012, i.e., from the day of conclusion of the Agreement and the submission of the first order under it, exceeded the value of 10 per cent of the Fund's equity and amounted to PLN 664.8 million.

It follows from the notification received that, under the Agreement, in the aforementioned period Aero2 submitted 20 orders; the order with the highest value being that of 8 November 2012 with a value of PLN 511.4 million (the "Order"). The Order concerns Polkomtel's provision of "RAN" services in places and on terms described in the Agreement. "RAN" services covered by the Order will be provided in each place for a period of five years counting from the date on which Polkomtel announces its readiness to provide the services in a given place, in accordance with the provisions of the Agreement. The Order does not regulate the issue of compensation and contractual penalties – general terms and conditions under the Agreement will apply in this respect. Other terms and conditions of the Order do not differ from those commonly applied for transactions of this kind.

At the same time, the Fund points out that the subject of the Agreement is specification of the rules of cooperation between Aero2 and Polkomtel involving receipt of access by each of the Parties - within the scope specified in the Agreement - to the telecommunications infrastructure of the other Party, and mutual rendering by the Parties - based on their telecommunications infrastructure - of services for the needs of their conducting telecommunications activities (providing wholesale and retail telecommunication services) using frequencies held by the Parties and for the needs of Aero2 rendering services to Mobyland Sp. z o.o. and CenterNet S.A. ("Mobyland", "CenterNet") under a separate agreement(s), within the scope of construction and granting access to telecommunications networks, in order to use radio frequencies at the disposal of Mobyland and CenterNet on the basis of a decision of the President of the Office of Electronic Communications (UKE) on frequency reservations.

The Fund assumed the criterion of 10 per cent of the equity of the Fund as the criterion for considering the total value of orders to be significant.

Detailed legal basis: Article 5 par. 1 pt. 3 of the Regulation of the Minister of Finance on current and periodic information [...] of 19 February 2009.