ENGIE BRASIL ENERGIA S.A.
A Publicly Listed Corporation – CNPJ 02.474.103/0001-19
NIRE 4230002438-4

MATERIAL FACT

LIABILITY WAIVER GRANTED FOR THE ESTREITO HPP

ENGIE BRASIL ENERGIA S.A. ("Company" or "ENGIE"), a corporation registered as a publicly listed company before the Brazilian Securities and Exchange Commission ("CVM"), pursuant to the contents of Article 157, paragraph 4, of Law No. 6,404, of December 15, 1976, ("Corporations Law") and CVM Resolution No. 44, of August 23, 2021, announces to its shareholders and the market at large that the 2nd Regular Public Meeting of the Collegiate Board of the National Electric Energy Agency ("Aneel") of 2023, held January 31, 2023, granted the request from CESTE – Consórcio Estreito Energia ("CESTE"), which is responsible for exploration of the Estreito Hydroelectric Power Plant ("Plant" or "Estreito HPP"), represented by Companhia Energética Estreito ("CEE"), an ENGIE subsidiary, granting an extension of the Plant's concession period for a total 852 days. The resolution also provided that the Electric Energy Trading Chamber ("Câmara de Comercialização de Energia Elétrica" – CCEE) shall re-calculate the Plant's concession period arising from the hydrological risk renegotiation, as calculations must include adjustment periods awarded by force of Law 13,360/2016.

The request was filed based on Law 13,360, of November 17, 2016, whose article 19 provides that, in the event of delayed commercial startup of generation concessions arising from facts deemed to provide a waiver of liability, Aneel shall adjust the applicable period by means of extending the concession award for the same period as the fact leading to waived liability.

As discussed in the request for period adjustment that CESTE submitted to Aneel on November 9, 2021, subsequent events occurred during the implementation of the Estreito HPP that led to the delayed commercial startup of the Plant, as follows: (i) delayed issuance of the Installation License by the Brazilian Institute for the Environment and Renewable Natural Resources – IBAMA; (ii) missing the hydrological window; and (iii) construction work stoppages as a result of social movements. These facts had already been analyzed by Aneel and justified adjustments to the implementation schedule in 2009 and 2011.

The Company will keep its shareholders and the market at large appraised of material developments in connection with the granting of the request, including the determination of the amounts involved and the required treatment for accounting purposes.

Florianópolis, February 06, 2023.

Eduardo Antonio Gori Sattamini
Chief Executive and
Investor Relations Officer