

Declaration of Compliance
by the Management Board and the Supervisory Board
of EnBW Energie Baden-Württemberg AG
with the German Corporate Governance Code
pursuant to Section 161 of the German Public Companies Act (AktG)

The Management Board and the Supervisory Board of EnBW Energie Baden-Württemberg AG declare pursuant to Section 161 of the AktG:

EnBW Energie Baden-Württemberg AG complied fully with the recommendations of the Government Commission on the German Corporate Governance Code, as amended since the last Declaration of Compliance of 6 December 2007, as published in the electronic version of the Federal Gazette, and in future will continue to comply fully therewith, as amended on 6 June 2008.

Karlsruhe, 11 December 2008
EnBW Energie Baden-Württemberg AG

Management Board

Supervisory Board