

**MCDERMOTT WILL & EMERY LLP**

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and Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:	)	Chapter 11
	)	
AGERA ENERGY LLC, <i>et al.</i> , <sup>1</sup>	)	Case No. 19-23802 (RDD)
	)	
Debtors.	)	(Jointly Administered)
	)	

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**AMENDED<sup>2</sup> NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON JUNE 24, 2020 AT 10:00 A.M.**

Time & Date of Hearing: June 24, 2020 at 10:00 a.m. (Prevailing Eastern Time)

Location of Hearing: The Honorable Robert D. Drain  
United States Bankruptcy Court  
300 Quarropas Street  
White Plains, New York 10601

Copies of Motions: A copy of each pleading can be viewed on the Court's website at  
<http://www.nysb.uscourts.gov> and the website of the Debtors'  
proposed notice and claims agent, Stretto, at  
<http://cases.stretto.com/agera>.

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<sup>1</sup> The Debtors, together with the last four digits of each Debtor's federal tax identification number, are: Agera Energy LLC (8122); Agera Holdings, LLC (3335); energy.me midwest llc (9484); Aequitas Energy, Inc. (7988); Utility Recovery LLC (4351); and Agera Solutions LLC (8749). The location of the Debtors' corporate headquarters and the service address for all Debtors is 555 Pleasantville Road, S-107, Briarcliff Manor, NY 10510.

<sup>2</sup> The only change from the original Notice of Agenda of Matters Scheduled for Hearing on June 24, 2020 at 10:00 A.M. is a correction to the status of item no. 17, the *Committee's Objection to NJ BPU Claim (Claim No. 32)*, to reflect that the matter is not going forward and has been adjourned *sine die*.

**I. UNCONTESTED MATTERS GOING FORWARD**

1. ***MA DOER/DEP 9019 Motion.*** Debtors' Motion Pursuant to Section 105(a) of the Bankruptcy Code and Fed. R. Bankr. P. 9019 for Entry of an Order Approving the Terms of Settlement by and between the Debtors, the Official Committee of Unsecured Creditors, and the Massachusetts Department of Energy Resources and the Department of Environmental Protection [Docket No. 781].

Objection Deadline: June 23, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents: None

Formal Responses Received: None

Status: This matter is going forward.

2. ***NJ BPU 9019 Motion.*** Debtors' Motion Pursuant to Section 105(a) of the Bankruptcy Code and Fed. R. Bankr. P. 9019 for Entry of an Order Approving the Terms of Settlement by and between the Debtors, the Official Committee of Unsecured Creditors, and the New Jersey Board of Public Utilities [Docket No. 782].

Objection Deadline: June 23, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents: None

Formal Responses Received: None

Status: This matter is going forward.

3. ***NY DTF 9019 Motion.*** Debtors' Motion Pursuant to Section 105(a) of the Bankruptcy Code and Fed. R. Bankr. P. 9019 for Entry of an Order Approving the Terms of Settlement by and between the Debtors, the Official Committee of Unsecured Creditors, and the New York State Department of Taxation and Finance [Docket No. 783].

Objection Deadline: June 23, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents: None

Formal Responses Received: None

Status: This matter is going forward.

4. ***PA PUC 9019 Motion.*** Debtors' Motion Pursuant to Section 105(a) of the Bankruptcy Code and Fed. R. Bankr. P. 9019 for Entry of an Order Approving the Terms of Settlement by and between the Debtors, the Official Committee of Unsecured Creditors, and the Pennsylvania Public Utility Commission [Docket No. 784].

Objection Deadline: June 23, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents: None

Formal Responses Received: None

Status: This matter is going forward.

5. ***RI PUC 9019 Motion.*** Debtors' Motion Pursuant to Section 105(a) of the Bankruptcy Code and Fed. R. Bankr. P. 9019 for Entry of an Order Approving the Terms of Settlement by and between the Debtors, the Official Committee of Unsecured Creditors, the Rhode Island Public Utility Commission, and the Rhode Island Commerce Corporation [Docket No. 785].

Objection Deadline: June 23, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents: None

Formal Responses Received: None

Status: This matter is going forward.

6. ***Debtors' Motion to Shorten Regarding 9019 Motions.*** Debtors' Omnibus Motion to Shorten Time with Respect to Debtors' Motions Pursuant to Section 105(a) of the Bankruptcy Code and Fed. R. Bankr. P. 9019 for Entry of an Order Approving the Terms of Certain Settlement Agreements [Docket No. 786].

Objection Deadline: June 23, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents: None

Formal Responses Received: None

Status: This matter is going forward.

## II. ADJOURNED MATTERS

7. ***Committee's Standing Motion.*** Motion of the Official Committee of Unsecured Creditors for Order Granting (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims on Behalf of the Debtors' Estates Against BP Energy Company and (II) Related Relief [Docket No. 518].

Objection Deadline: April 14, 2020 at 4:00 p.m. (Prevailing Eastern Time), extended to June 17, 2020 at 4:00 p.m. (Prevailing Eastern Time) for the Debtors and for BP.

Related Documents:

- A. Notice of Adjournment of Hearing on Motion of the Official Committee of Unsecured Creditors for Order Granting (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims on Behalf of the Debtors' Estates Against BP Energy Company and (II) Related Relief [Docket No. 661].
- B. Notice of Adjournment of Hearing on Motion of the Official Committee of Unsecured Creditors for Order Granting (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims on Behalf of the Debtors' Estates Against BP Energy Company and (II) Related Relief [Docket No. 724].
- C. Notice of Adjournment of Hearing on Motion of the Official Committee of Unsecured Creditors for Order Granting (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims on Behalf of the Debtors' Estates Against BP Energy Company and (II) Related Relief [Docket No. 748].
- D. Notice of Adjournment of Hearing on Motion of the Official Committee of Unsecured Creditors for Order Granting (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims on Behalf of the Debtors' Estates Against BP Energy Company and (II) Related Relief [Docket No. 789].

Formal Responses Received: None

Status: This matter has been adjourned to the hearing scheduled for August 24, 2020 at 2:00 p.m (Prevailing Eastern Time).

8. ***Massachusetts DOER Administrative Expense Application.*** Application for Administrative Expenses of the Massachusetts Department of Energy Resources [Docket No. 422].

Objection Deadline: March 16, 2020 at 4:00 p.m. (Prevailing Eastern Time), extended under the First Stipulation and Order (defined below) to April 14, 2020 at 4:00 p.m. (Prevailing Eastern Time), under the Second Stipulation and Order (defined below) to April 29, 2020 at 4:00 p.m. (Prevailing Eastern Time), under the Third Stipulation and Order (defined below) to June 5, 2020 at 4:00 p.m. (Prevailing Eastern Time), under the Fourth Stipulation and Order (defined below) to June 17, 2020 at 4:00 p.m. (Prevailing Eastern Time), and under the Fifth Stipulation and Order (defined below) *sine die* for the Debtors.

Related Documents:

- A. Notice of Hearing on Application for Administrative Expenses of the Massachusetts Department of Energy Resources [Docket No. 496].
- B. Stipulation of Agreement and Order Regarding: (I) Debtors' Omnibus Objections to the Claims of the Massachusetts Department of Energy Resources and the Massachusetts Department of Environmental Protection; and (II) the Application for Administrative Expenses of the Massachusetts Department of Energy Resources [Docket No. 522] (the "First Stipulation and Order").
- C. Stipulation of Agreement and Order Regarding: (I) the Application for Administrative Expenses of the Massachusetts Department of Energy Resources; (II) the Debtors' Omnibus Objections to the Claims of the Mass. DOER and the Mass. DEP; and (III) the Committee's Objections to the Claims of the Mass. DOER and the Mass. DEP (re: ECF Nos. 422, 467, 468, 549, and 550) [Docket No. 616] (the "Second Stipulation and Order").
- D. Notice of Rescheduled Omnibus Hearing Date [Docket No. 637].
- E. Third Stipulation of Agreement and Order Regarding: (I) the Application for Administrative Expenses of the Massachusetts Department of Energy Resources; (II) the Debtors' Omnibus Objections to the Claims of the Mass. DOER and the Mass. DEP; and (III) the Committee's Objections to the Claims of the Mass. DOER and the Mass. DEP (re: ECF Nos. 422,

467, 468, 549, and 550) [Docket No. 704] (the “Third Stipulation and Order”).

- F. Fourth Stipulation of Agreement and Order Regarding: (I) the Application for Administrative Expenses of the Massachusetts Department of Energy Resources; (II) the Debtors’ Omnibus Objections to the Claims of the Mass. DOER and the Mass. DEP; and (III) the Committee’s Objections to the Claims of the Mass. DOER and the Mass. DEP (re: ECF Nos. 422, 467, 468, 549, and 550) [Docket No. 743] (the “Fourth Stipulation and Order”).
- G. Fifth Stipulation of Agreement and Order Regarding: (I) the Application for Administrative Expenses of the Massachusetts Department of Energy Resources; (II) the Debtors’ Omnibus Objections to the Claims of the Mass. DOER and the Mass. DEP; and (III) the Committee’s Objections to the Claims of the Mass. DOER and the Mass. DEP (re: ECF Nos. 422, 467, 468, 549, and 550) [Docket No. 794] (the “Fifth Stipulation and Order”).

Formal Responses Received:

- A. Objection of the Official Committee of Unsecured Creditors to Application for Administrative Expenses of the Massachusetts Department of Energy Resources [Docket No. 548].

Status: This matter has been adjourned *sine die*.

- 9. ***Debtors’ Eighth Omnibus Claims Objection.*** Debtors’ Eighth Omnibus Objection to Claims Filed by the Commonwealth of Massachusetts, Department of Energy Resources [Docket No. 467].

Response Deadline: March 16, 2020 at 4:00 p.m. (Prevailing Eastern Time), extended under the First Stipulation and Order to April 14, 2020 at 4:00 p.m. (Prevailing Eastern Time), under the Second Stipulation and Order to April 29, 2020 at 4:00 p.m. (Prevailing Eastern Time), under the Third Stipulation and Order to June 5, 2020 at 4:00 p.m. (Prevailing Eastern Time), under the Fourth Stipulation and Order to June 17, 2020 at 4:00 p.m. (Prevailing Eastern Time), and under the Fifth Stipulation and Order *sine die* for the Mass. DOER.

Related Documents:

- A. The First Stipulation and Order.

- B. The Second Stipulation and Order.
- C. Notice of Rescheduled Omnibus Hearing Date [Docket No. 637].
- D. The Third Stipulation and Order.
- E. The Fourth Stipulation and Order.
- F. The Fifth Stipulation and Order.

Formal Responses Received:

- A. The Commonwealth of Massachusetts, Department of Energy Resources' Response to Debtors' Eighth Omnibus Objection to Claims [Docket No. 521].

Status: This matter has been adjourned *sine die*.

- 10. ***Debtors' Ninth Omnibus Claims Objection.*** Debtors' Ninth Omnibus Objection to Claims Filed by the Commonwealth of Massachusetts, Department of Environmental Protection [Docket No. 468].

Response Deadline: March 16, 2020 at 4:00 p.m. (Prevailing Eastern Time), extended under the First Stipulation and Order to April 14, 2020 at 4:00 p.m. (Prevailing Eastern Time), under the Second Stipulation and Order to April 29, 2020 at 4:00 p.m. (Prevailing Eastern Time), under the Third Stipulation and Order to June 5, 2020 at 4:00 p.m. (Prevailing Eastern Time), under the Fourth Stipulation and Order to June 17, 2020 at 4:00 p.m. (Prevailing Eastern Time), and under the Fifth Stipulation and Order *sine die* for the Mass. DEP.

Related Documents:

- A. The First Stipulation and Order.
- B. The Second Stipulation and Order.
- C. Notice of Rescheduled Omnibus Hearing Date [Docket No. 637].
- D. The Third Stipulation and Order.
- E. The Fourth Stipulation and Order.

F. The Fifth Stipulation and Order.

Formal Responses Received:

A. The Commonwealth of Massachusetts, Department of Environmental Protection's Response to Debtors' Ninth Omnibus Objection to Claims and, if Required, Request for Allowance of Tardy Claim Pursuant to 11 U.S.C. § 503(a) [Docket No. 519].

Status: This matter has been adjourned *sine die*.

11. ***Committee's Objection to Massachusetts DOER Claims.*** Objection of the Official Committee of Unsecured Creditors to Claims Filed by the Massachusetts

Department of Energy Resources (Claims Nos. 111, 229, and 231) [Docket No. 549].

Response Deadline: April 14, 2020 at 4:00 p.m. (Prevailing Eastern Time), extended under the Second Stipulation and Order to April 29, 2020 at 4:00 p.m. (Prevailing Eastern Time), under the Third Stipulation and Order to June 5, 2020 at 4:00 p.m. (Prevailing Eastern Time), under the Fourth Stipulation and Order to June 17, 2020 at 4:00 p.m. (Prevailing Eastern Time), and under the Fifth Stipulation and Order *sine die* for the Mass. DOER.

Related Documents:

A. The Second Stipulation and Order.

B. Notice of Rescheduled Omnibus Hearing Date [Docket No. 637].

C. The Third Stipulation and Order.

D. The Fourth Stipulation and Order.

E. The Fifth Stipulation and Order.

Formal Responses Received: None

Status: This matter has been adjourned *sine die*.



12. ***Committee's Objection to Massachusetts DEP Claims.*** Objection of the Official Committee of Unsecured Creditors to Claims Filed by the Massachusetts Department of Environmental Protection (Claims Nos. 108 and 232) [Docket No. 550].

Response Deadline: April 14, 2020 at 4:00 p.m. (Prevailing Eastern Time), extended under the Second Stipulation and Order to April 29, 2020 at 4:00 p.m. (Prevailing Eastern Time), under the Third Stipulation and Order to June 5, 2020 at 4:00 p.m. (Prevailing Eastern Time), under the Fourth Stipulation and Order to June 17, 2020 at 4:00 p.m. (Prevailing Eastern Time), and under the Fifth Stipulation and Order *sine die* for the Mass. DEP.

Related Documents:

- A. The Second Stipulation and Order.
- B. Notice of Rescheduled Omnibus Hearing Date [Docket No. 637].
- C. The Third Stipulation and Order.
- D. The Fourth Stipulation and Order.
- E. The Fifth Stipulation and Order.

Formal Responses Received: None

Status: This matter has been adjourned *sine die*.

13. ***Debtors' Objection to NYS Department of Taxation and Finance Claim.*** Debtor's Objection to Proof of Claim No. 238 of New York State Department of Taxation and Finance [Docket No. 650].

Response Deadline: May 22, 2020 at 4:00 p.m. (Prevailing Eastern Time), extended by agreement to June 5, 2020 at 4:00 p.m. (Prevailing Eastern Time), further extended by agreement to June 17, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents:

- A. Notice of Adjournment of Hearing [Docket No. 726].
- B. Notice of Adjournment of Hearing [Docket No. 756].

C. Notice of Adjournment of Hearing [Docket No. 790].

Formal Responses Received: None

Status: This matter has been adjourned *sine die*.

14. ***Committee's Objection to PA PUC Claim (Claim No. 33)***. Objection of the Official Committee of Unsecured Creditors to Claim Filed by the Pennsylvania Public Utility Commission (energy.me midwest llc Claim No. 33) [Docket No. 644].

Response Deadline: May 22, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents:

- A. Notice of Adjournment of Hearing [Docket No. 726].
- B. Notice of Adjournment of Hearing [Docket No. 756].
- C. Notice of Adjournment of Hearing [Docket No. 790].

Formal Responses Received:

- A. Pennsylvania Public Utility Commission Response in Opposition to the Official Committee of Unsecured Creditors' Objection to Proof of Claim Filed by the Pennsylvania Public Utility Commission (energy.me midwest llc Claim No. 33) [Docket No. 714].

Status: This matter has been adjourned *sine die*.

15. ***Committee's Objection PA PUC Claim (Claim No. 248)***. Objection of the Official Committee of Unsecured Creditors to Claim Filed by the Pennsylvania Public Utility Commission (Agera Energy LLC Claim No. 248) [Docket No. 645].

Response Deadline: May 22, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents:

- A. Notice of Adjournment of Hearing [Docket No. 726].
- B. Notice of Adjournment of Hearing [Docket No. 756].

C. Notice of Adjournment of Hearing [Docket No. 790].

Formal Responses Received:

A. Pennsylvania Public Utility Commission Response in Opposition to the Official Committee of Unsecured Creditors' Objection to Proof of Claim Filed by the Pennsylvania Public Utility Commission (Agera Energy LLC Claim No. 248) [Docket No. 713].

Status: This matter has been adjourned *sine die*.

16. ***Debtors' Objection to PA PUC Claims.*** Debtors' Omnibus Objection to Claim Nos. 33 and 248 of Pennsylvania Public Utility Commission [Docket No. 651].

Response Deadline: May 22, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents:

A. Notice of Adjournment of Hearing [Docket No. 726].

B. Notice of Adjournment of Hearing [Docket No. 756].

C. Notice of Adjournment of Hearing [Docket No. 790].

Formal Responses Received: None

Status: This matter has been adjourned *sine die*.

17. ***Committee's Objection to NJ BPU Claim (Claim No. 32).*** Objection of the Official Committee of Unsecured Creditors to Claim Filed by the New Jersey Board of Public Utilities (energy.me midwest llc Claim No. 32) [Docket No. 647].

Response Deadline: May 22, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents:

A. Notice of Adjournment of Hearing [Docket No. 726].

B. Notice of Adjournment of Hearing [Docket No. 756].

C. Notice of Adjournment of Hearing [Docket No. 790].

Formal Responses Received:

- A. The New Jersey Board of Public Utilities' Omnibus Reply to the Official Committee of Unsecured Creditors' and Debtors' Objection to the Claim Filed by the New Jersey Board of Public Utilities (energy.me midwest llc Claim No. 32) [Docket No. 717].
- B. Certification of Benjamin Hunter in Support of the Claim Filed by the New Jersey Board of Public Utilities [Docket No. 718].

Status: This matter has been adjourned *sine die*.

18. ***Committee's Objection to NJ BPU Claim (Claim No. 247).*** Objection of the Official Committee of Unsecured Creditors to Claim Filed by the New Jersey Board of Public Utilities (Agera Energy LLC Claim No. 247) [Docket No. 648].

Response Deadline: May 22, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents:

- A. Notice of Adjournment of Hearing [Docket No. 726].
- B. Notice of Adjournment of Hearing [Docket No. 756].
- C. Notice of Adjournment of Hearing [Docket No. 790].

Formal Responses Received:

- A. The New Jersey Board of Public Utilities' Omnibus Reply to the Official Committee of Unsecured Creditors' and Debtors' Objection to the Claim Filed by the New Jersey Board of Public Utilities (Agera Energy LLC Claim No. 247) [Docket No. 715].
- B. Certification of Benjamin Hunter in Support of the Claim Filed by the New Jersey Board of Public Utilities [Docket No. 716].

Status: This matter has been adjourned *sine die*.

19. ***Debtors' Objection to NJ BPU Claims.*** Debtors' Omnibus Objection to Claim Nos. 32 and 247 of the New Jersey Board of Public Utilities [Docket No. 654].

Response Deadline: May 22, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents:

- A. Notice of Adjournment of Hearing [Docket No. 726].
- B. Notice of Adjournment of Hearing [Docket No. 756].
- C. Notice of Adjournment of Hearing [Docket No. 790].

Formal Responses Received:

- A. The New Jersey Board of Public Utilities' Omnibus Reply to the Official Committee of Unsecured Creditors' and Debtors' Objection to the Claim Filed by the New Jersey Board of Public Utilities (Agera Energy LLC Claim No. 247) [Docket No. 715].
- B. Certification of Benjamin Hunter in Support of the Claim Filed by the New Jersey Board of Public Utilities [Docket No. 716].
- C. The New Jersey Board of Public Utilities' Omnibus Reply to the Official Committee of Unsecured Creditors' and Debtors' Objection to the Claim Filed by the New Jersey Board of Public Utilities (energy.me midwest llc Claim No. 32) [Docket No. 717].
- D. Certification of Benjamin Hunter in Support of the Claim Filed by the New Jersey Board of Public Utilities [Docket No. 718].

Status: This matter has been adjourned *sine die*.

- 20. ***Committee's Objection to RI PUC Claim (Claim No. 249).*** Objection of the Official Committee of Unsecured Creditors to Claim Filed by the Rhode Island Public Utilities Commission (Agera Energy LLC Claim No. 249) [Docket No. 649].

Response Deadline: May 22, 2020 at 4:00 p.m. (Prevailing Eastern Time), extended by agreement to June 5, 2020 at 4:00 p.m. (Prevailing Eastern Time) for the RI PUC, further extended by agreement to June 17, 2020 at 4:00 p.m. (Prevailing Eastern Time).

Related Documents:

- A. Notice of Adjournment of Hearing [Docket No. 726].
- B. Notice of Adjournment of Hearing [Docket No. 756].

C. Notice of Adjournment of Hearing [Docket No. 790].

Formal Responses Received: None

Status: This matter has been adjourned *sine die*.

21. ***Debtors' Objection to RI PUC Claim.*** Debtors' Objection to Claim No. 249 of Rhode Island Public Utility Commission [Docket No. 653].

Response Deadline: May 22, 2020 at 4:00 p.m. (Prevailing Eastern Time),  
extended by agreement to June 5, 2020 at 4:00 p.m.  
(Prevailing Eastern Time) for the RI PUC, further extended  
by agreement to June 17, 2020 at 4:00 p.m. (Prevailing  
Eastern Time).

Related Documents:

A. Notice of Adjournment of Hearing [Docket No. 726].

B. Notice of Adjournment of Hearing [Docket No. 756].

C. Notice of Adjournment of Hearing [Docket No. 790].

Formal Responses Received: None

Status: This matter has been adjourned *sine die*.

Dated: June 23, 2020  
New York, NY

**MCDERMOTT WILL & EMERY LLP**

/s/ Darren Azman

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