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and Debtors in Possession*

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

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

**NOTICE OF COMMENCEMENT OF CHAPTER 11 CASES
AND HEARING ON FIRST DAY MOTIONS**

PLEASE TAKE NOTICE that on October 4, 2019 (the “Petition Date”), the above-captioned debtors and debtors in possession (collectively, the “Debtors”), each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”), in the United States Bankruptcy Court for the Southern District of New York (the “Court”).

PLEASE TAKE FURTHER NOTICE that on the Petition Date, in addition to their chapter 11 petitions, the Debtors have filed the following first day motions and related pleadings (collectively, the “First Day Pleadings”):

¹ 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.

1. ***First Day Declaration.*** Declaration of Todd Sandford, Chief Operating Officer at Agera Energy, LLC, pursuant to Local Bankruptcy Rule 1007-2 in Support of Debtors' Chapter 11 Petitions and First Day Pleadings [Docket No. 3].
2. ***Joint Administration Motion.*** Debtors' Motion Seeking Entry of an Order (I) Directing Joint Administration of Their Related Chapter 11 Cases and (II) Granting Related Relief [Docket No. 2].
3. ***Case Management Motion.*** Debtors' Motion for Entry of an Order (A) Establishing Certain Notice, Case Management, and Administrative Procedures and (B) Granting Related Relief [Docket No. 4].
4. ***Schedules Extension Motion.*** Debtors' Motion for Entry of an Order (I) Extending Time for Debtors to File Schedules and Statements and (II) Authorizing Debtors to File Consolidated Monthly Operating Reports [Docket No. 5].
5. ***Prepetition Taxes Motion.*** Debtors' Motion for Entry of an Interim And Final Order (I) Authoring, but not Directing, the Payment of Certain Prepetition Taxes and Fees and (II) Granting Related Relief [Docket No. 7].
6. ***Wages Motion.*** Debtors' Motion for Entry of Interim and Final Orders Authorizing Payment of Certain Prepetition Wages, Reimbursable Expenses, Benefits, and Related Items [Docket No. 8].
7. ***Cash Management Motion.*** Debtors' Motion For Entry Of Interim And Final Orders Authorizing Debtors To Continue (I) to Operate Their Cash Management System, Honor Certain Prepetition Obligations Related Thereto, and Maintain Existing Business Forms; and (II) Their Intercompany Transactions [Docket No. 9].
8. ***Stay Enforcement Motion.*** Debtors' Motion for the Entry of an Order Under Sections 105(a), 362, 365, and 525 of the Bankruptcy Code Enforcing and Restating Automatic Stay, *Ipsa Facto*, and Non-Discrimination Provisions [Docket No. 10].
9. ***Claims Agent Application.*** Debtors' Application for Retention and Appointment of Stretto as Claims and Noticing Agent [Docket No. 11].
10. ***Motion to Pay Service Providers.*** Debtors' Motion For Entry of Interim and Final Orders Authorizing The Debtors to (I) Pay Certain Prepetition Claims of Service Providers and (II) Continue Satisfying Postpetition Obligations in the Ordinary Course of Business [Docket No. 12].
11. ***DIP Motion.*** Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Obtain Postpetition Financing; (II) Authorizing Use of Cash Collateral; (III) Granting Liens and Providing Superpriority Administrative Expense Status; (IV) Granting Adequate Protection; (V) Modifying Automatic

Stay; (VI) Scheduling Final Hearing; and (VII) Granting Related Relief [Docket No. 13].

PLEASE TAKE FURTHER NOTICE that on the Petition Date, in addition to their chapter 11 petitions and the First Day Pleadings, the Debtors have filed the following motions and related pleadings to be heard at a later date (collectively, the “Later Hearing Pleadings”):

1. ***Insurance Motion.*** Debtors’ Motion For Entry of an Order (I) Authorizing the Debtors to (A) pay their Obligations Under Prepetition Insurance Policies, (B) Continue to pay Certain Brokerage Fees, (C) Renew, Supplement, Modify, or Purchase Insurance Coverage in the Ordinary Course, and (D) Honor their Prepetition Insurance Premium Financing Agreements; (II) Authorizing Banks and other Financial Institutions to Honor Checks and Electronic Transfer Requests Related Thereto; and (III) Granting Related Relief [Docket No. 14].
2. ***Lease Rejection Motion.*** Debtors’ Motion for Entry of an Order Authorizing and Approving the Rejection of Certain Unexpired Lease of Nonresidential Real Property *Nunc Pro Tunc* to the Petition Date [Docket No. 15].
3. ***Sale and Bidding Procedures Motion.*** Debtors’ Motion for Entry of Orders (I)(A) Approving Bidding Procedures Relating to the Sale of the Debtors’ Assets, (B) Approving Stalking Horse Asset Purchase Agreement and Bid Protections, (C) Approving Form and Manner of Notices of Sale, Auction and Sale Hearing, (D) Approving Procedures Relating to the Assumption and Assignment of Certain Executory Contracts, (E) Scheduling Auction for, and Hearing to Approve, Sale of the Agera Opco Entities’ Assets; (II)(A) Approving the Sale of the Agera Opco Entities’ Assets Free and Clear of All Liens, Claims, Interests and Encumbrances and (B) Authorizing the Assumption and Assignment of Certain Executory Contracts; And (III) Granting Related Relief [Docket No. 16].
4. ***RSA Motion.*** Debtors’ Motion for Entry of an Order Authorizing and Directing Assumption of the Restructuring Support Agreement Term Sheet [Docket No. 17].
5. ***Ordinary Course Professionals Motion.*** Debtors’ Motion for Entry of Order Authorizing Debtors to Employ and Pay Professionals Utilized in the Ordinary Course of Business [Docket No. 18].
6. ***Creditor Sealing Motion.*** Debtors’ Motion for Entry of an Order Authorizing (I) the Debtors to Redact Certain Personally Identifiable and Commercially Sensitive Information From Court Filings and (II) the Debtors’ Claims and Noticing Agent to Withhold Publication of Claims Filed by Certain Individuals [Docket No. 19].

7. **APA Sealing Motion.** Debtors' Motion For Entry Of An Order Granting Leave To File The Unredacted Stalking Horse APA Under Seal [Docket No. 20].
8. **PSA Sealing Motion.** Debtors' Motion for Entry of an Order Granting Leave to File the Unredacted Senior Lien Supply Agreement Under Seal [Docket No. 21].

PLEASE TAKE FURTHER NOTICE that a hearing (the "First Day Hearing") to consider the First Day Pleadings has been scheduled by the Court for **October 4, 2019 at 3:00 p.m. (prevailing Eastern Time)**, with such hearing to be held before the Honorable Robert D. Drain, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York, 300 Quarropas Street, White Plains, New York 10601, in accordance with the Court's schedule. The Debtors have requested that the Court consider the relief requested in the First Day Pleadings on a final basis, in certain cases, or on an interim basis pending a final hearing to be scheduled at a later date. The Debtors will file an agenda in advance of the First Day Hearing.

PLEASE TAKE FURTHER NOTICE that copies of the First Day Pleadings and the Later Hearing Pleadings may be obtained free of charge by visiting the website of Stretto at <http://cases.stretto.com/agera>. You may also obtain copies of any pleadings by visiting the Court's website at <http://www.nysb.uscourts.gov> in accordance with the procedures and fees set forth therein.

PLEASE TAKE FURTHER NOTICE that your rights may be affected. You should read the First Day Pleadings carefully and discuss them with your attorney, if you have one in connection with the chapter 11 cases. (If you do not have an attorney, you may wish to consult one.)

PLEASE TAKE FURTHER NOTICE that if you do not want the Court to grant the relief requested in the First Day Pleadings, or if you want the Court to consider your views on the First Day Pleadings, then you or your attorney must attend the First Day Hearing. If you or

your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the First Day Pleadings and may enter orders granting the relief requested in the First Day Pleadings.

Dated: October 4, 2019
New York, New York

/s/ Darren Azman
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