

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

BURGESS BIOPOWER, LLC, *et al.*¹

Debtors.

Chapter 11

Case No. 24-10235 (LSS)
(Jointly Administered)

Re D.I. 153, 164

**ORDER (I) APPROVING THE SETTLEMENT BY AND AMONG THE DEBTORS,
SENIOR SECURED LENDERS, AND PUBLIC SERVICE COMPANY OF NEW
HAMPSHIRE, DOING BUSINESS AS EVERSOURCE ENERGY AND
(II) GRANTING RELATED RELIEF**

Upon consideration of the *Debtors' Motion for Entry of an Order (I) Approving the Settlement By and Among the Debtors, Senior Secured Lenders, and Public Service Company of New Hampshire, Doing Business as Eversource Energy and (II) Granting Related Relief* (the "Motion");² and upon the *Declaration of Dean Vomero Pursuant to 28 U.S.C. § 1746 in Support of the Debtors' Chapter 11 Petitions and First Day Pleadings*; and the Court finding that: (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012; (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (c) venue of these Chapter 11 Cases in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and (d) the Court may enter a final order consistent with Article III of the United States Constitution; and upon the record herein; and after due deliberation thereon; and it appearing that sufficient notice of the Motion has been given and that no other or further notice is necessary; upon the Court having determined that the Settlement was negotiated and entered into in good faith and is within

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number are: Burgess BioPower, LLC (0971) and Berlin Station, LLC (1913). The Debtors' corporate headquarters are located at c/o CS Operations, Inc., 631 US Hwy 1, #300, North Palm Beach, FL 33408.

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

the sound business judgement of the Debtors; and it appearing that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and the Court having determined that the relief requested in the Motion is fair, equitable and in the best interests of the Debtors and their estates, and good cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. The Settlement, including the Settlement Agreement filed at D.I. 164, is authorized and approved in its entirety in all respects.
3. All of the terms of the Settlement, including the releases, are deemed binding on the parties to the Settlement Agreement pursuant to the terms thereof, and all other parties in interest in the Chapter 11 Cases, and no party may take any action to impede, impair or delay the Settlement or the consummation thereof.
4. The Motion to Transfer Venue is withdrawn with prejudice and the objections set forth in paragraph 7 of the Motion are withdrawn, and in any event, overruled.
5. The Debtors, PSNH, and the Lenders are each authorized, but not directed, to take any and all actions as may be necessary or appropriate to effectuate and implement the terms and provisions of the Settlement.
6. The stay provided for in Bankruptcy Rule 6004(h) is hereby waived and this Order is effective immediately upon its entry.
7. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of the Settlement, this Order and the Chapter 11 Cases; provided, however, that the foregoing shall not be deemed to impair or affect

the jurisdiction of other courts or agencies with respect to a governmental unit's exercise of its police and/or regulatory powers.

Dated: February 28th, 2024
Wilmington, Delaware

A handwritten signature in cursive script, reading "Laurie Selber Silverstein".

LAURIE SELBER SILVERSTEIN
UNITED STATES BANKRUPTCY JUDGE