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Attorney for Defendant Talen Montana, LLC

### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA BILLINGS DIVISION

Portland General Electric Company; Avista Corporation; PacifiCorp; and Puget Sound Energy, Inc.,

Plaintiffs,

v.

NorthWestern Corporation; Talen Montana, LLC; and Austin Knudsen, in his official capacity as Attorney General for the State of Montana,

Defendants.

Case No. 1:21-cv-00047-SPW-KLD

**Notice of Suggestion of Bankruptcy** 

## PLEASE TAKE NOTICE, that, commencing May 9, 2022,

Talen Montana, LLC (along with its debtor affiliates, the "**Debtors**") filed voluntary petitions for relief (the "**Chapter 11 Cases**") in the United States Bankruptcy Court for the Southern District of Texas (the "**Bankruptcy Court**") under chapter 11 of title 11 of the United States Code (11 U.S.C. § 101, et seq.) (the "**Bankruptcy Code**"). The Debtors are seeking to have their Chapter 11

Cases jointly administered under Case Number 22-90054 (MI). Copies of the Debtors' chapter 11 petitions are available on the website of the Debtors' proposed claims and noticing agent at https://cases.ra.kroll.com/talenenergy.<sup>1</sup>

PLEASE TAKE FURTHER NOTICE, that pursuant to Section 362(a) of the Bankruptcy Code (the "Automatic Stay"), the filing of the Chapter 11 bankruptcy petitions "operates as a stay, applicable to all entities," of, among other things, "the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under [the Bankruptcy Code], or to recover a claim against the debtor that arose before the commencement of the [bankruptcy] case" and "any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate[.]" 11 U.S.C. § 362(a)(1), (3).

PLEASE TAKE FURTHER NOTICE, that any action against the Debtors or to obtain possession of property of the Debtor's estate or exercise control over property of the Debtor's estate without obtaining, from the Bankruptcy Court, relief from the Automatic Stay is void *ab initio* and may result in a finding of contempt for violation of the Automatic Stay. The Debtors reserve and retain their

A complete list of the Debtors in these chapter 11 cases is attached as **Exhibit**A hereto. The Debtors' primary mailing address is 1780 Hughes Landing Boulevard, Suite 800, The Woodlands, Texas 77380.

statutory rights to seek relief in the Bankruptcy Court from any action by Plaintiffs or any judgment, order, or ruling entered in violation of the Automatic Stay.

In the event the Court or any parties have questions regarding the Chapter 11 Cases, please contact counsel for the Debtors:

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Dated: May 10, 2022

#### /s/ Robert L. Sterup

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# **Certificate of Service**

I hereby certify that on the  $10^{\text{th}}$  day of May, 2022 a copy of the foregoing was served on all parties via CM/ECF.

/s/ Robert Sterup Robert Sterup

# Exhibit A

| Debtor's Name                                     | Debtor's Federal Employer<br>Identification Number (EIN) | Chapter 11 Case<br>Number (Pending) |
|---|--|-------------------------------------|
| Barney Davis, LLC                                 | 20-1045417   | rumber (renamg)                     |
| BDW Corp.   | 51-0116798   |                                     |
| Bell Bend, LLC                                    | 26-3159555   |                                     |
| Brandon Shores LLC                                | 36-4740174   |                                     |
| Brunner Island Services, LLC                      | 23-3098400   |                                     |
| Brunner Island, LLC                               | 23-3022596   |                                     |
| Camden Plant Holding, L.L.C.                      | 05-0607747   |                                     |
| Colstrip Comm Serv, LLC                           | 81-0529047   |                                     |
| Dartmouth Plant Holding, LLC                      | 41-2184903   |                                     |
| Dartmouth Power Associates<br>Limited Partnership | 04-3019623   |                                     |
| Dartmouth Power Generation,<br>L.L.C.             | N/A  |                                     |
| Dartmouth Power Holding<br>Company, L.L.C.        | N/A  |                                     |
| Elmwood Energy Holdings, LLC                      | 27-0651911   |                                     |
| Elmwood Park Power, LLC                           | 90-0918628   |                                     |
| Fort Armistead Road – Lot 15<br>Landfill, LLC     | 45-4960946   |                                     |
| H.A. Wagner LLC                                   | 80-0844269   |                                     |
| Holtwood, LLC                                     | 23-3022598   |                                     |
| Lady Jane Collieries, Inc.                        | 24-0856538   |                                     |
| Laredo, LLC                                       | 20-1045665   |                                     |
| Liberty View Power, L.L.C.                        | N/A  |                                     |
| Lower Mount Bethel Energy, LLC                    | 54-1929268   |                                     |
| Martins Creek, LLC                                | 23-3022600   |                                     |
| MC OpCo LLC                                       | 32-0585939   |                                     |
| MEG Generating Company, LLC                       | 26-1759112   |                                     |
| Montana Growth Holdings LLC                       | 87-2099021   |                                     |
| Montour Services, LLC                             | 23-3098401   |                                     |

| Montour, LLC                                 | 23-3022599 |  |
|--|------------|--|
| Morris Energy Management<br>Company, LLC     | 74-3188636 |  |
| Morris Energy Operations<br>Company, LLC     | 26-4724350 |  |
| Newark Bay Cogeneration<br>Partnership, L.P. | 33-0346441 |  |
| Newark Bay Holding Company,<br>L.L.C.        | 20-1589768 |  |
| NorthEast Gas Generation<br>Holdings, LLC    | 20-1306738 |  |
| Nueces Bay, LLC                              | 20-1045645 |  |
| Pedricktown Cogeneration<br>Company LP       | 22-3036391 |  |
| Pedricktown Investment Company<br>LLC        | N/A        |  |
| Pedricktown Management<br>Company LLC        | N/A        |  |
| Pennsylvania Mines, LLC                      | 23-3056813 |  |
| Raven FS Property Holdings LLC               | 80-0869802 |  |
| Raven Lot 15 LLC                             | 36-4745217 |  |
| Raven Power Finance LLC                      | 80-0847931 |  |
| Raven Power Fort Smallwood<br>LLC            | 90-0885103 |  |
| Raven Power Generation Holdings<br>LLC       | 47-1227220 |  |
| Raven Power Group LLC                        | 90-0879118 |  |
| Raven Power Property LLC                     | 80-0848561 |  |
| Realty Company of Pennsylvania               | 23-1612742 |  |
| RMGL Holdings LLC                            | 54-2009098 |  |
| Sapphire Power Finance LLC                   | 45-2691784 |  |
| Sapphire Power Generation<br>Holdings LLC    | 47-1206946 |  |
| Sapphire Power LLC                           | 45-2691722 |  |
| Sapphire Power Marketing LLC                 | 37-1740183 |  |

| Susquehanna Nuclear, LLC               | 23-3022601 |  |
|--|------------|--|
| Talen Energy Marketing, LLC            | 23-2974252 |  |
| Talen Energy Retail LLC                | 32-0542921 |  |
| Talen Energy Services Group,<br>LLC    | 23-3065194 |  |
| Talen Energy Services Holdings,<br>LLC | N/A        |  |
| Talen Energy Services Northeast, Inc.  | 04-3125706 |  |
| Talen Energy Supply, LLC               | 23-3074920 |  |
| Talen Generation, LLC                  | 23-3022597 |  |
| Talen II Growth Holdings LLC           | 87-2689011 |  |
| Talen II Growth Parent LLC             | 88-1114172 |  |
| Talen Land Holdings, LLC               | 23-3086488 |  |
| Talen Montana Holdings, LLC            | 54-1929267 |  |
| Talen Montana, LLC                     | 54-1928759 |  |
| Talen NE LLC                           | 82-1933934 |  |
| Talen Nuclear Development, LLC         | 26-0687913 |  |
| Talen Technology Ventures LLC          | N/A        |  |
| Talen Texas Group, LLC                 | N/A        |  |
| Talen Texas Property, LLC              | N/A        |  |
| Talen Texas, LLC                       | 26-2103683 |  |
| Talen Treasure State, LLC              | 26-1661044 |  |
| York Generation Company LLC            | 33-0058470 |  |
| York Plant Holding, LLC                | 39-2053125 |  |