



News Release

FOR IMMEDIATE RELEASE

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Burgess BioPower Terminates Power Purchase Agreement After Eversource Breach and Enters into Restructuring Support Agreement with Senior Secured Lenders to Substantially Reduce Long-Term Debt and Strengthen Financial Position

Files voluntary Chapter 11 petition to implement financial restructuring following a breach of contract by Eversource

Business operations and energy generation to continue during restructuring process

Berlin, NH – Burgess BioPower, LLC and Berlin Station, LLC (together the “Company”) announced that the Company has terminated the Power Purchase Agreement (“PPA”) governing the sale of power to the Public Service Company of New Hampshire doing business as Eversource (“Eversource”) following Eversource’s failure to make required payments to the Company. The Company has commenced chapter 11 cases in the United States Bankruptcy Court for the District of Delaware with the support of its senior secured lenders (the “Senior Secured Lenders”).

The Company and the Senior Secured Lenders have entered into a comprehensive restructuring support agreement (the “RSA”) that provides for an agreed restructuring of the Company’s assets and liabilities that will result in a substantial deleveraging of the Company or the sale of the Company. In connection with the RSA, the Senior Secured Lenders have agreed to provide up to \$18 million in new money under a super priority senior secured debtor-in-possession financing

facility (“DIP Financing”). The DIP Financing together with the Company’s unrestricted cash will provide the Company with sufficient liquidity to operate its business as a going concern and pay its obligations in the ordinary course of business. The Company anticipates that its trade vendors will not be impacted by the chapter 11 cases, nor will employees at the facility.

In addition, the Company has retained Dean Vomero of Applied Business Strategy as its Chief Restructuring Officer and formed a special committee of independent directors to oversee the restructuring process and guide the Company’s future long-term operating strategy.

The Company intends to use the chapter 11 process to confirm a plan of reorganization that will best position the Company for long-term success within the shifting energy landscape while protecting employees, maintaining its excellent relationships with vendors and suppliers, and continuing its positive impact within the City of Berlin. The Company is among the largest, most efficient, and technologically advanced solid-fuel power plants in the country and is consistently ranked as best-in-class operationally by independent engineers.

“Burgess BioPower remains committed to the people of Berlin and to the Granite State. The restructuring process will permit the Company to continue the production of reliable, renewable energy while creating a sustainable path for Burgess’s long-term operation,” said Sarah Boone, their spokesperson. “We are confident that the Company will navigate the process smoothly and successfully.”

Additional Information

Additional information about the Chapter 11 case, including access to Court filings and other documents related to the restructuring process, is available at <https://dm.epiq11.com/Burgess>; or by calling Burgess’s restructuring information line at Toll-Free U.S. and Canada: (877) 556-2937 and International: +1 (503) 843-8526 or via email to burgess@epiqglobal.com.

Foley Hoag LLP is acting as Burgess’s legal counsel, Gibbons P.C. as its Delaware counsel, SSG Advisors LLC is acting as its investment banker and financial advisor, and Applied Business Strategy is serving as restructuring advisor to the Company.

About Burgess BioPower

Burgess BioPower supports New Hampshire's energy, environmental, and economic needs by locally generating 75MW of reliable and renewable power. Fueled by regionally sourced biomass produced from sustainably managed forests, and operated by a highly skilled and dedicated team, Burgess BioPower provides lasting value to New Hampshire. Burgess BioPower is committed to help New Hampshire achieve energy independence while serving as a responsible environmental steward, a trustworthy community partner, and a statewide economic catalyst.

Cautionary Note on Forward-Looking Statements

This press release includes statements that are, or may be deemed, “forward-looking statements.” In some cases, these forward-looking statements can be identified by the use of forward-looking terminology, including the terms “believes,” “estimates,” “anticipates,” “expects,” “plans,”

“intends,” “may,” “could,” “might,” “will,” “should,” “approximately” or, in each case, their negative or other variations thereon or comparable terminology, although not all forward-looking statements contain these words.

These forward-looking statements reflect the current beliefs and expectations of management made pursuant to the safe harbor provisions of the Private Securities Litigation Reform Act of 1995. We caution you that forward-looking statements are not guarantees of future performance and that our actual results of operations, financial condition and liquidity, and the development of the industry in which we operate may differ materially from the forward-looking statements contained herein. Any forward-looking statements that we make in this press release speak only as of the date of such statement, and we undertake no obligation to update such statements to reflect events or circumstances after the date of this press release or to reflect the occurrence of unanticipated events.

The Company’s forward-looking statements in this press release include, but are not limited to, statements about the Company’s ability to effectuate a plan of reorganization or to sell its assets pursuant to Chapter 11 of the Bankruptcy Code and the extent and timing of any such plan or sales; the Company’s intention to continue operations during the Chapter 11 case and its ability to fund its post-petition operations; the Company’s belief that the plan and/or sale process will be in the best interest of the Company and its stakeholders; and other statements regarding the Company’s strategy and future operations, performance and prospects, among others. These forward-looking statements are based on current expectations and beliefs concerning future developments and their potential effects. There can be no assurance that future developments affecting the Company will be those anticipated. These forward-looking statements involve a number of risks, uncertainties (some of which are beyond the Company’s control) or other assumptions that may cause actual results or performance to be materially different from those expressed or implied by these forward-looking statements. These risks and uncertainties include, but are not limited to, the risks associated with the potential adverse impact of the Chapter 11 filings on the Company’s liquidity and results of operations; changes in the Company’s ability to meet its financial obligations during the Chapter 11 process and to maintain contracts that are critical to its operations; the outcome and timing of the Chapter 11 process and any potential asset sale or plan; the effect of the Chapter 11 filings and any potential asset sale or plan on the Company’s relationships with vendors, regulatory authorities, employees and other third parties; possible proceedings that may be brought by third parties in connection with the Chapter 11 process or any potential asset sale or plan; uncertainty regarding obtaining Bankruptcy Court approval of a sale of the Company’s assets, confirmation of a plan or other conditions to any potential asset sale or plan; and the timing or amount of distributions, if any, to the Company’s stakeholders.