

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

In Re:  iSun, Inc., <sup>1</sup>  Debtor.	Chapter 11 Case No. 24-11144 (TMH) (Joint Administration Requested)
In Re:  Hudson Solar Service, LLC,  Debtor.	Chapter 11 Case No. 24-11145 (TMH) (Joint Administration Requested)
In Re:  Hudson Valley Clean Energy, Inc.,  Debtor.	Chapter 11 Case No. 24-11146 (TMH) (Joint Administration Requested)
In Re:  iSun Corporate, LLC,  Debtor.	Chapter 11 Case No. 24-11147 (TMH) (Joint Administration Requested)
In Re:  iSun Energy, LLC,  Debtor.	Chapter 11 Case No. 24-11148 (TMH) (Joint Administration Requested)
In Re:  iSun Industrial, LLC,  Debtor.	Chapter 11 Case No. 24-11149 (TMH) (Joint Administration Requested)

<sup>1</sup> The Debtors in these Chapter 11 cases, along with the last four (4) digits of their federal tax identification numbers, are: (i) iSun, Inc. (“iSun”) (0172) (ii) Hudson Solar Service, LLC (“Hudson”) (1635); (iii) Hudson Valley Clean Energy, Inc. (“Hudson Valley”) (8214); (iv) iSun Corporate, LLC (“iSun Corporate”) (4391); (v) iSun Energy, LLC (“iSun Energy”) (1676); (vi) iSun Industrial, LLC (“iSun Industrial”) (4333); (vii) iSun Residential, Inc. (“iSun Residential”) (3525); (viii) iSun Utility, LLC (“iSun Utility”) (4411); (ix) Liberty Electric, Inc. (“Liberty”) (8485); (x) Peck Electric Co. (“Peck”) (5229); (xi) SolarCommunities, Inc. (“SolarCommunities”) (7316); and (xii) Sun CSA 36, LLC (“Sun CSA”); (collectively referred to as the “Debtors”). The Debtors’ mailing address is: 400 Avenue D, Suite 10 Williston, Vermont 05495, with copies to Gellert Seitz Busenkell & Brown LLC, Attn: Michael Busenkell, 1201 N. Orange Street, Suite 300, Wilmington, DE 19801.

In Re:  iSun Residential, Inc.,  Debtor.	Chapter 11 Case No. 24-11150 (TMH) (Joint Administration Requested)
In Re:  iSun Utility, LLC.,  Debtor.	Chapter 11 Case No. 24-11151 (TMH) (Joint Administration Requested)
In Re:  Liberty Electric, LLC.,  Debtor.	Chapter 11 Case No. 24-11152 (TMH) (Joint Administration Requested)
In Re:  Peck Electric Co.,  Debtor.	Chapter 11 Case No. 24-11153 (TMH) (Joint Administration Requested)
In Re:  SolarCommunities, Inc.,  Debtor.	Chapter 11 Case No. 24-11154 (TMH) (Joint Administration Requested)
In Re:  Sun CSA 36, LLC.,  Debtor.	Chapter 11 Case No. 24-11155 (TMH) (Joint Administration Requested)

**DEBTORS' MOTION FOR AN ORDER AUTHORIZING AND DIRECTING  
JOINT ADMINISTRATION OF RELATED CHAPTER 11 CASES**

iSun, Inc. (“iSun”), Hudson Solar Service, LLC (“Hudson”), Hudson Valley Clean Energy, Inc. (“Hudson Valley”), iSun Corporate, LLC (“iSun Corporate”), iSun Energy, LLC (“iSun Energy”), iSun Industrial, LLC (“iSun Industrial”), iSun Residential, Inc. (“iSun Residential”), iSun Utility, LLC (“iSun Utility”), Liberty Electric, Inc. (“Liberty”), Peck Electric Co. (“Peck”), SolarCommunities, Inc. (“SolarCommunities”) and Sun CSA 36, LLC (“Sun CSA”) as debtors and debtors in possession in the above-captioned chapter 11 cases (each a “Debtor” and

collectively, the “Debtors”), hereby submit this motion (the “Motion”) for entry of an order, substantially in the form attached hereto as **Exhibit A**, providing for the joint administration of the Debtors’ separate chapter 11 cases. In support of this Motion, the Debtors rely upon and fully incorporate the *Declaration of Jeffrey Peck of iSun, Inc. in Support of Chapter 11 Petitions and First Day Motions* (the “First Day Declaration”), filed with the Court contemporaneously herewith. In further support of this Motion, the Debtors respectfully state as follows:

### **JURISDICTION AND VENUE**

1. The United States Bankruptcy Court for the District of Delaware (the “Court”) has jurisdiction to consider 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 as of February 29, 2012. This is a core proceeding pursuant to 28 U.S.C. § 157(b).

2. Venue in this district is proper under 28 U.S.C. §§ 1408 and 1409.

3. Pursuant to Rule 9013-1(f) of the Local Rules of Bankruptcy Practice and Procedure for the District of Delaware (the “Local Rules”), the Debtors consent to the entry of a final order by the Court in connection with this Motion to the extent that it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

4. The statutory bases for the relief requested herein are sections 105 and 342(c)(1) of the title 11 of the United States Code, §§ 101 *et seq.*, (as amended or modified, the “Bankruptcy Code”), Rules 1005 and 1015 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Local Rule 1015-1.

### **BACKGROUND**

5. On the date hereof (the “Petition Date”), the Debtors commenced these bankruptcy cases (the “Chapter 11 Cases”) by filing voluntary petitions for relief under chapter 11 of the Bankruptcy Code.

6. The Debtors continue to manage and operate their businesses as debtors in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

7. As of the date of this Motion, no trustee, examiner or official committee of unsecured creditors has been appointed in these Chapter 11 Cases.

8. The Debtors are one of the largest solar energy services and infrastructure deployment companies in the country. The Debtors’ services include solar, storage and electric vehicle infrastructure, design, development and professional services, engineering, procurement, installation, O&M and storage. The Debtors target all solar markets including residential, commercial, industrial and utility segments.

9. Further information regarding the Debtors and the events leading up to the Petition date and the facts and circumstances supporting the relief requested herein are set forth in the First Day Declaration filed contemporaneously herewith.<sup>2</sup>

### **RELIEF REQUESTED**

10. By this Motion, the Debtors seek entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), authorizing and directing the joint administration of these Chapter 11 Cases for procedural purposes only. The Debtors also request that the Clerk of the Court maintain one (1) file and one (1) docket for all of these Chapter 11 Cases, which file and docket shall be the one for iSun, Inc.

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<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the First Day Declaration.

11. The Debtors further request that the caption of these Chapter 11 cases be modified as follows to reflect their joint administration as follows:

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

In re:  iSun, Inc., <i>et al.</i> , <sup>1</sup>  Debtors.	Chapter 11  Case No. 24-11144 (TMH)  (Jointly Administered)
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<sup>1</sup> The Debtors in these Chapter 11 cases, along with the last four (4) digits of their federal tax identification numbers, are: (i) iSun, Inc. (“iSun”) (0172) (ii) Hudson Solar Service, LLC (“Hudson”) (1635); (iii) Hudson Valley Clean Energy, Inc. (“Hudson Valley”) (8214); (iv) iSun Corporate, LLC (“iSun Corporate”) (4391); (v) iSun Energy, LLC (“iSun Energy”) (1676); (vi) iSun Industrial, LLC (“iSun Industrial”) (4333); (vii) iSun Residential, Inc. (“iSun Residential”) (3525); (viii) iSun Utility, LLC (“iSun Utility”) (4411) ; (ix) Liberty Electric, Inc. (“Liberty”) (8485); (x) Peck Electric Co. (“Peck”) (5229); (xi) SolarCommunities, Inc. (“SolarCommunities”) (7316); and (xii) Sun CSA 36, LLC (“Sun CSA”); (collectively referred to as the “Debtors”). The Debtors’ mailing address is: 400 Avenue D, Suite 10 Williston, Vermont 05495, with copies to Gellert Seitz Busenkell & Brown LLC, Attn: Michael Busenkell, 1201 N. Orange Street, Suite 300, Wilmington, DE 19801.

12. In addition, the Debtors request that the Court make a docket entry in Hudson, Hudson Valley, iSun Corporate, iSun Energy, iSun Industrial, iSun Residential, iSun Utility, Liberty, Peck, SolarCommunities, and Sun CSA Chapter 11 Cases, substantially similar to the following:

An order has been entered in this case consolidating this case with the case of *In re iSun, Inc. 24-11144*, for procedural purposes only and providing for its joint administration in accordance with the terms thereof. The docket in Case No. 24-11144 should be consulted for all matters affecting this case.

**BASIS FOR RELIEF**

13. Bankruptcy Rule 1015(b) provides that “[i]f . . . two or more petitions are pending in the same court by or against [...] a debtor and an affiliate, the court may order joint administration of the estates.” Fed. R. Bankr. P. 1015(b).

14. Local Rule 1015-1 similarly provides:

An order of joint administration may be entered, without notice and an opportunity for hearing, upon the filing of a motion for joint administration pursuant to Fed. R. Bankr. P. 1015, supported by an affidavit, declaration or verification, which establishes that the joint administration of two or more cases pending in this Court under title 11 is warranted and will ease the administrative burden for the Court and the parties.

Del. Bankr. L.R. 1015-1.

15. The Debtors are “affiliates” of each other as that term is defined in section 101(2) of the Bankruptcy Code and as used in Bankruptcy Rule 1015(b). Thus, joint administration of the Debtors’ cases is appropriate under Bankruptcy Rule 1015(b) and Local Rule 1015-1.<sup>3</sup>

16. The joint administration of the Debtors’ Chapter 11 Cases will permit the Clerk of the Court to use a single general docket for each of the Debtors’ cases and to combine notices to creditors and other parties in interest of the Debtors’ respective estates. Indeed, the Debtors anticipate that numerous notices, applications, motions, other pleadings, hearings, and orders in these cases will affect all of the Debtors.

17. Joint administration will also save time and money and avoid duplicative and potentially confusing filings by permitting counsel for all parties in interest to (a) use a single caption on the numerous documents that will be served and filed herein and (b) file papers in one case rather than in both cases. Joint administration will also protect parties in interest by ensuring that parties in each of the Debtors’ respective Chapter 11 Cases will be apprised of the various matters before the Court in each. Finally, joint administration will ease the burden on the office of the United States Trustee (the “U.S. Trustee”) in supervising these bankruptcy cases; *provided*,

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<sup>3</sup> Pursuant to Local Rule 1015-1, the Debtors have filed the First Day Declaration contemporaneously herewith. The First Day Declaration establishes that the joint administration of the Debtors’ respective estates is warranted and will ease the administrative burden for the Court and the parties in interest.

*however*, that all schedules of assets and liabilities, statements of financial affairs, and proofs of claim will be captioned and filed in each of the Debtors' respective, separate cases, as appropriate.

18. The rights of the respective creditors and stakeholders of each of the Debtors will not be adversely affected by joint administration of these cases inasmuch as the relief sought is purely procedural and is in no way intended to affect substantive rights. Each creditor and other party in interest will maintain whatever rights it has against the particular estate in which it allegedly has a claim or right.

19. Pursuant to section 342(c)(1) of the Bankruptcy Code, "[i]f notice is required to be given by the debtor to a creditor. . . such notice shall contain the name, address, and last four digits of the taxpayer identification number of the debtor." 11 U.S.C. § 342(c)(1). In furtherance of the foregoing, the Debtors request that the official caption to be used by all parties in all pleadings in the jointly administered Chapter 11 Cases be the caption set forth in Paragraph 10, above.

20. The Debtors submit that use of this simplified caption will eliminate cumbersome and confusing procedures and ensure a uniformity of pleading identification.

21. It would be far more practical and expedient for the administration of these Chapter 11 Cases if the Court were to authorize their joint administration. The Debtors envision that many of the motions, hearings, and other matters involved in these Chapter 11 Cases will affect all of the Debtors. Consequently, joint administration will reduce costs and facilitate a more efficient administrative process, unencumbered by the procedural problems otherwise attendant to the administration of separate, albeit related, Chapter 11 Cases.

22. Joint administration of interrelated chapter 11 cases is routinely approved by courts in this District under similar circumstances. *See, e.g., In re Infinity Pharmaceuticals, Inc.*, Case No. 23-11640 (BLS) (Bankr. D. Del. Sept. 9, 2023); *In re Pegasus Home Fashions, Inc.*, Case No.

23-11235 (MFW) (Bankr. D. Del. Aug. 25, 2023); *In re Winc, Inc.*, Case No. 22-11238 (LSS) (Bankr. D. Del. Dec. 6, 2022); *In re Gulf Coast Health Care, LLC*, Case No. 21-11336 (KBO) (Bankr. D. Del. Oct. 15, 2021); *In re SFP Franchise Corporation*, Case No. 20-10134 (JTD) (Bankr. D. Del. Jan. 24, 2020); *In re HRI Holding Corp.*, Case No. 19-12415 (MFW) (Bankr. D. Del. Nov. 15, 2019); *In re SeaStar Holdings, Inc.*, Case No. 18-10039 (CSS) (Bankr. D. Del. Jan. 8, 2018).

23. For these reasons, the Debtors submit that the relief requested herein is in the best interest of the Debtors, their estates, creditors, stakeholders and other parties in interest and, therefore, should be granted.

### **NOTICE**

24. The Debtors will provide notice of this Motion to: (a) the Office of the United States Trustee for Region 3, serving the District of Delaware; (b) the Debtors' thirty (30) largest unsecured creditors; (c) the Office of the United States Attorney for the Southern District of New York; (d) the Office of the United States Attorney for the District of Delaware; (e) the United States Securities and Exchange Commission; (f) the Internal Revenue Service; (g) NASDAQ, Inc.; (h) the Office of the United States Attorney for the District of Vermont (i) the Office of the United States Attorney for the District of New Hampshire (j) any party that has requested notice pursuant to Bankruptcy Rule 2002 as of the time of service, and (k) any other party required to be provided notice under Local Rule 9013-1(m). As this Motion is seeking first-day relief, notice of this Motion and any order entered hereon will be served on all parties required by Local Rule 9013-1(m). The Debtors submit that, in light of the nature of the relief requested, no other or further notice need be given.



**CONCLUSION**

WHEREFORE, the Debtors respectfully request that the Court enter an order, substantially in the form attached hereto, granting the relief requested in the *Debtors' Motion for an Order Authorizing and Directing Joint Administration of Cases Pursuant to Fed. R. Bankr. P. 1015(B)*, and such other and further relief as may be just and proper.

Dated: June 3, 2024

GELLERT SEITZ BUSENKELL &  
BROWN, LLC

/s/ Michael Busenkell

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*Proposed Counsel to the Debtors and  
Debtors-in-Possession*

**EXHIBIT A**

**Proposed Order**

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

In Re:  iSun, Inc., <sup>1</sup>  Debtor.	Chapter 11 Case No. 24-11144 (TMH)
In Re:  Hudson Solar Service, LLC,  Debtor.	Chapter 11 Case No. 24-11145 (TMH)
In Re:  Hudson Valley Clean Energy, Inc.,  Debtor.	Chapter 11 Case No. 24-11146 (TMH)
In Re:  iSun Corporate, LLC,  Debtor.	Chapter 11 Case No. 24-11147 (TMH)
In Re:  iSun Energy, LLC,  Debtor.	Chapter 11 Case No. 24-11148 (TMH)
In Re:  iSun Industrial, LLC,  Debtor.	Chapter 11 Case No. 24-11149 (TMH)

<sup>1</sup> The Debtors in these Chapter 11 cases, along with the last four (4) digits of their federal tax identification numbers, are: (i) iSun, Inc. (“iSun”) (0172) (ii) Hudson Solar Service, LLC (“Hudson”) (1635); (iii) Hudson Valley Clean Energy, Inc. (“Hudson Valley”) (8214); (iv) iSun Corporate, LLC (“iSun Corporate”) (4391); (v) iSun Energy, LLC (“iSun Energy”) (1676); (vi) iSun Industrial, LLC (“iSun Industrial”) (4333); (vii) iSun Residential, Inc. (“iSun Residential”) (3525); (viii) iSun Utility, LLC (“iSun Utility”) (4411); (ix) Liberty Electric, Inc. (“Liberty”) (8485); (x) Peck Electric Co. (“Peck”) (5229); (xi) SolarCommunities, Inc. (“SolarCommunities”) (7316); and (xii) Sun CSA 36, LLC (“Sun CSA”); (collectively referred to as the “Debtors”). The Debtors’ mailing address is: 400 Avenue D, Suite 10 Williston, Vermont 05495, with copies to Gellert Seitz Busenkell & Brown LLC, Attn: Michael Busenkell, 1201 N. Orange Street, Suite 300, Wilmington, DE 19801.

In Re:  iSun Residential, Inc.,  Debtor.	Chapter 11 Case No. 24-11150 (TMH)
In Re:  iSun Utility, LLC.,  Debtor.	Chapter 11 Case No. 24-11151 (TMH)
In Re:  Liberty Electric, LLC.,  Debtor.	Chapter 11 Case No. 24-11152 (TMH)
In Re:  Peck Electric Co.,  Debtor.	Chapter 11 Case No. 24-11153 (TMH)
In Re:  SolarCommunities, Inc.,  Debtor.	Chapter 11 Case No. 24-11154 (TMH)
In Re:  Sun CSA 36, LLC.,  Debtor.	Chapter 11 Case No. 24-11155 (TMH)

**ORDER AUTHORIZING AND DIRECTING JOINT  
ADMINISTRATION OF RELATED CHAPTER 11 CASES**

Upon the motion (the “Motion”)<sup>2</sup> of the Debtors for an order, pursuant to sections 105(a) and 342(c)(1) of the Bankruptcy Code, Bankruptcy Rule 1015(b), and Local Rule 1015-1, directing joint administration of these cases and administratively consolidating the respective Chapter 11 Cases of each Debtor for procedural purposes only, all as further described in the Motion; and the

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<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Motion

Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334; and consideration of the Motion being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and venue being proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409; and notice of the Motion being adequate and appropriate under the particular circumstances; and a hearing having been held to consider the relief requested in the Motion (the “Hearing”); and upon consideration of the First Day Declaration, the record of the Hearing and all proceedings had before the Court; and the Court having found and determined that the relief sought in the Motion is in the best interests of the Debtors’ estates, their creditors and other parties in interest and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and any objections to the requested relief having been withdrawn or overruled on the merits; and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED as set forth herein.
2. The Debtors’ Chapter 11 Cases shall be (a) jointly administered pursuant to Bankruptcy Rule 1015(b) and Local Rule 1015-1 and (b) consolidated for procedural purposes only.
3. The Clerk of the Court shall maintain one (1) file and one (1) docket for all of the Debtors’ Chapter 11 Cases, which file and docket shall be the file and docket for the Chapter 11 Case of debtor iSun, Inc., Case No. 24-11144.
4. The pleadings filed in the Debtors’ Chapter 11 Cases shall bear a consolidated caption in the following form:

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

In re:

iSun, Inc., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-11144 (TMH)

(Jointly Administered)

<sup>1</sup> The Debtors in these Chapter 11 cases, along with the last four (4) digits of their federal tax identification numbers, are: (i) iSun, Inc. ("iSun") (0172) (ii) Hudson Solar Service, LLC ("Hudson") (1635); (iii) Hudson Valley Clean Energy, Inc. ("Hudson Valley") (8214); (iv) iSun Corporate, LLC ("iSun Corporate") (4391); (v) iSun Energy, LLC ("iSun Energy") (1676); (vi) iSun Industrial, LLC ("iSun Industrial") (4333); (vii) iSun Residential, Inc. ("iSun Residential") (3525); (viii) iSun Utility, LLC ("iSun Utility") (4411) ; (ix) Liberty Electric, Inc. ("Liberty") (8485); (x) Peck Electric Co. ("Peck") (5229); (xi) SolarCommunities , Inc. ("SolarCommunities") (7316); and (xii) Sun CSA 36, LLC ("Sun CSA"); (collectively referred to as the "Debtors"). The Debtors' mailing address is: 400 Avenue D, Suite 10 Williston, Vermont 05495, with copies to Gellert Seitz Busenkell & Brown LLC, Attn: Michael Busenkell, 1201 N. Orange Street, Suite 300, Wilmington, DE 19801.

5. Parties in interest are directed to use the proposed caption as indicated in the preceding paragraph when filing pleadings with the Court in these Chapter 11 Cases and all original docket entries shall be made in the case of iSun, Inc., 24-11144 (TMH). The caption set forth in the preceding paragraph satisfies the requirements of section 342(c) of the Bankruptcy Code and Bankruptcy Rule 2002(n) in all respects.

6. The Clerk of the Court shall make a separate docket entry on each of the dockets of each Debtor other than iSun, Inc., substantially similar to the following to reflect the joint administration of the Chapter 11 Cases:

An order has been entered in this case consolidating this case with the case of iSun, Inc. 24-11144 (TMH), for procedural purposes only and providing for its joint administration in accordance with the terms thereof. The docket in Case No. 24-11144 (TMH) should be consulted for all matters affecting this case.

7. Nothing contained in the Motion or this Order shall be deemed or construed as directing or otherwise effecting the substantive consolidation of these Chapter 11 Cases.

8. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

9. This Order is effective immediately upon its entry and the Clerk of the Court is hereby directed to enter this Order on the docket in each case.

10. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.