

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

	)	
In re:	)	Chapter 11
	)	
EDISON MISSION ENERGY, <u>et al.</u> , <sup>1</sup>	)	Case No. 12-49219 (JPC)
	)	
Debtors.	)	(Jointly Administered)
	)	

**DECLARATION OF AARON MOSS IN SUPPORT  
OF DEBTORS’ FOURTH OMNIBUS OBJECTION TO  
CERTAIN PROOFS OF CLAIM (AMENDED AND SUPERSEDED  
CLAIMS, LATE-FILED CLAIMS, AND DUPLICATIVE CLAIM)**

I, Aaron Moss, declare as follows:

1. I am Vice President and Controller of Debtor Edison Mission Energy (“EME”) and certain of the other above-captioned debtors and debtors in possession (collectively, the “Debtors”). I submit this declaration (this “Declaration”) in support of the *Debtors’ Fourth Omnibus Objection to Certain Proofs of Claim (Amended and Superseded Claims, Late-Filed Claims, and Duplicative Claim)* (the “Objection”).<sup>2</sup>

2. Except where specifically noted, the statements in this Declaration are based on my personal knowledge, information supplied or verified by employees or advisors of the Debtors that I supervise, my review of relevant documents, or my opinion based upon my

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Edison Mission Energy (1807); Camino Energy Company (2601); Chestnut Ridge Energy Company (6590); Edison Mission Energy Fuel Services, LLC (4630); Edison Mission Finance Co. (9202); Edison Mission Fuel Resources, Inc. (3014); Edison Mission Fuel Transportation, Inc. (3012); Edison Mission Holdings Co. (6940); Edison Mission Midwest Holdings Co. (6553); EME Homer City Generation, L.P. (6938); Homer City Property Holdings, Inc. (1685); Midwest Finance Corp. (9350); Midwest Generation EME, LLC (1760); Midwest Generation, LLC (8558); Midwest Generation Procurement Services, LLC (2634); Midwest Peaker Holdings, Inc. (5282); Mission Energy Westside, Inc. (0657); San Joaquin Energy Company (1346); Southern Sierra Energy Company (6754); and Western Sierra Energy Company (1447). The location of parent Debtor Edison Mission Energy’s corporate headquarters and the Debtors’ service address is: 3 MacArthur Place, Suite 100, Santa Ana, California 92707.

<sup>2</sup> All capitalized terms used but otherwise not defined herein shall have the meanings set forth in the Objection.

experience and knowledge of the Debtors' operations and financial condition. If I were called upon to testify, I could and would testify competently to the facts set forth herein. I am authorized to submit this Declaration on behalf of the Debtors.

### **Background**

3. In my current position as Vice President and Controller, I am generally familiar with the Debtors' day-to-day operations, financing arrangements, business affairs, and books and records that reflect, among other things, the Debtors' liabilities and the amounts owed to creditors as of the Petition Date.

4. The Debtors and their advisors are continuing to review the proofs of claim (collectively, the "Claims"), including supporting documentation, if any, filed together with any proof of claim, and reconciling the proofs of claims with the Debtors' books and records to determine the validity of the proofs of claim. In connection with preparation of the Objection, I: (a) oversaw the review of (i) the Claims register maintained by the Debtors' notice and claims agent, during which time individuals under my supervision identified Claims that should be allowed, disallowed, expunged, reclassified, or reduced and (ii) the books and records with respect to the Claims described in the Objection; (b) approved the inclusion of the Claims in the Objection; (c) reviewed the Objection and the proposed form of order attached thereto as **Exhibit A**; and (d) reviewed and approved the information contained on **Schedules 1-3** to **Exhibit A** attached to the Objection and the justifications set forth therein. Accordingly, I am familiar with the information contained in the Objection.

### **The Disputed Claims**

#### **I. Amended and Superseded Claims**

5. To the best of my knowledge, information, and belief, I have determined that each Amended and Superseded Claims identified on **Schedule 1** to **Exhibit A** to the Objection was

amended and replaced by the applicable “Surviving Claim” identified on Exhibit 1 to Exhibit A to the Objection. To allow both the Amended and Superseded Claims and Surviving Claims to remain on the Claims register would be duplicative and would lead to multiple recoveries on a single Claim. Accordingly, I believe that the Court should enter an order expunging and disallowing the Amended and Superseded Claims identified on Schedule 1 to Exhibit A to the Objection in their entirety.

## **II. Late-Filed Claims**

6. To the best of my knowledge, information, and belief, I have determined that each Late-Filed Claim identified on Schedule 2 to Exhibit A to the Objection (a) was subject to the General Bar Date and (b) was filed after the General Bar Date. Moreover, I understand that each claimant asserting a Late-Filed Claim was timely served with the Bar Date Notice and, therefore, had adequate notice of the General Bar Date. Accordingly, I believe that the Court should enter an order expunging and disallowing the Late-Filed Claims identified on Schedule 2 to Exhibit A to the Objection in their entirety.<sup>3</sup>

## **III. Duplicative Claim**

7. To the best of my knowledge, information, and belief, I have determined that the Duplicative Claim identified on Schedule 3 to Exhibit A to the Objection duplicates the Surviving Claim identified on Schedule 3 to Exhibit A to the Objection. I believe that the failure to disallow and expunge the Duplicative Claim could result in the relevant claimant receiving multiple recoveries against the Debtors, to the detriment of other similarly-situated creditors. Moreover, I believe that the elimination of the Duplicative Claim will enable the

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<sup>3</sup> I understand that the proposed disallowance and expungement of each Late-Filed Claim shall have no effect on the relevant claimant’s scheduled claim to the extent such claim is not designated as contingent, unliquidated, or disputed on the applicable Debtor’s Schedules.

Debtors to maintain a more accurate claims register. Accordingly, I believe that the Court should enter an order expunging and disallowing the Duplicative Claim identified on **Schedule 3** to **Exhibit A** to the Objection in its entirety.

*[Remainder of page intentionally left blank.]*

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: October 7, 2013



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Aaron Moss  
Vice President and Controller  
Edison Mission Energy