

EXHIBIT B

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

and

STATE OF TEXAS,

Plaintiffs,

v.

CONSTELLATION ENERGY
CORPORATION,

CALPINE CORPORATION,

and

CPN CS HOLCO CORP.

Defendants.

Case No. 1:25-cv-04235-ABJ

**CERTIFICATE OF COMPLIANCE WITH PROVISIONS
OF THE ANTITRUST PROCEDURES AND PENALTIES ACT**

The United States of America hereby certifies that it has complied with the Antitrust Procedures and Penalties Act (“APPA”), 15 U.S.C. § 16 and states:

1. The United States filed the Complaint, Asset Preservation and Hold Separate Stipulation and Order (“APHSSO”), and proposed Final Judgment on December 5, 2025. The United States filed the Competitive Impact Statement on December 12, 2025.

2. Pursuant to 15 U.S.C. § 16(b), the proposed Final Judgment and the Competitive Impact Statement were published in the *Federal Register* on December 18, 2025 (90 Fed. Reg. 59,205 (2025)), and copies of the proposed Final Judgment and Competitive Impact Statement

were furnished to all persons requesting them and made available on the Department of Justice Antitrust Division's website.

3. Pursuant to 15 U.S.C. § 16(c), a summary of the terms of the proposed Final Judgment and Competitive Impact Statement were published in *The Washington Post*, a newspaper of general circulation in the District of Columbia, and in the *Houston Chronicle*, a newspaper of general circulation in Houston, Texas and several counties in the vicinity, for seven days, beginning on December 20, 2025 and ending on December 26, 2025.

4. No determinative materials or documents within the meaning of 15 U.S.C. § 16(b) were considered by the United States in formulating the proposed Final Judgment, so none were furnished to any person pursuant to 15 U.S.C. § 16(b) or listed pursuant to 15 U.S.C. § 16(c).

5. As required by 15 U.S.C. § 16(g), on December 8, 2025, Defendants filed with the Court descriptions of any written or oral communications made by or on behalf of Defendants with any officer or employee of the United States concerning the proposed Final Judgment.

6. The public comment period specified in 15 U.S.C. § 16(b) commenced on December 18, 2025 and ran for at least 60 days.

7. The United States received and responded to one comment on the proposed Final Judgment. The comment and the United States' response were filed with the Court on April 9, 2026. Pursuant to 15 U.S.C. § 16(d), the United States published the response and the public comment in the *Federal Register* on April 24, 2026 (*see* 91 Fed. Reg. 22,167 (2026)).

8. The parties have, therefore, satisfied all of the requirements of the APPA that were conditions for entering the proposed Final Judgment. Pursuant to the APHSSO filed on

December 5, 2025 and 15 U.S.C. § 16(e), the Court may enter the Final Judgment after it determines that the proposed Final Judgment serves the public interest.

9. The Competitive Impact Statement and Response to Public Comment demonstrate that the proposed Final Judgment satisfies the public interest standard of 15 U.S.C. § 16(e).

10. Pursuant to the APHSSO dated January 2, 2026, Defendants stipulated that the Final Judgment could be filed with and entered by the Court, upon the motion of the United States or upon the Court's own motion, at any time after compliance with the requirements of the APPA, and without further notice to any party or other proceeding.

10. The United States requests that this Court enter the Final Judgment without further proceedings or hearings.

Dated: May 21, 2026.

Respectfully submitted,

FOR PLAINTIFF
UNITED STATES OF AMERICA

/s/ Joseph Chandra Mazumdar
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