

TO THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Cancellation by Florida  
Public Service Commission of  
Alternative Local Exchange  
Telecommunications Certificate  
No. 7333 issued to Asset  
Channels-Telecom, Inc. for  
violation of Rules 25-4.0161,  
F.A.C., Regulatory Assessment  
Fees; Telecommunications  
Companies, and 25-24.835,  
F.A.C., Rules Incorporated

DOCKET NO. 011277-TX

ORDER NO. PSC-01-2412-PAA-TX  
ISSUED: December 12, 2001

PETITION FOR FORMAL PROCEEDING

1. This petition requests an evidentiary proceeding or, in the alternative, a reversal of Order No. PSC-01-2412-PAA-TX. This petition is addressed to the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.
2. The petitioner is Roberta Napolitano, Chapter 7 Trustee of the Bankruptcy Estate of Asset Channels, Inc., Case No. 01-31500, currently pending in the United States Bankruptcy Court, District of Connecticut, New Haven Division.
3. The petitioner received notice of the Order, via certified mail addressed to Asset Channels-Telecom, Inc. at 244 Elm Street, New Canaan, Connecticut 06840-5309, on December 26, 2001. The petitioner, in her capacity as Chapter 7 Trustee of the Bankruptcy Estate of Asset Channels, Inc., receives all mail addressed to Asset Channels, Inc. at 181 Main Street, Suite C, Monroe, Connecticut.
4. The undersigned has no grounds on which to dispute the facts recited in Order No. PSC-01-2412-PAA-TX, but believes the facts recited in the next paragraphs warrant reversal or modification of the agency's proposed action.
5. Asset Channels, Inc. filed a pro se petition in bankruptcy on or about March 27, 2001.

DOCUMENT NUMBER-DATE

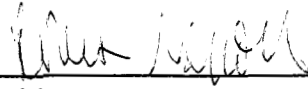
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FPSC-COMMISSION CLERK

The Court converted the case to one under Chapter 7 on May 7, 2001, and the undersigned was appointed Trustee. Shortly after the appointment, the undersigned arranged that all mail forwarded to Asset Channels, Inc. be forwarded to her at 350 Fairfield Avenue, Bridgeport, Connecticut. Copies of the Docket and the Order of conversion are attached. The Chapter 7 Debtor, Asset Channels, Inc. lists Asset Channels-Telecom, Inc. as an alter ego on its petition. Order NO. PSC-01-2412-PAA-TX cancels Alternative Local Exchange Telecommunications Certificate No. 7333 issued to Asset Channels-Telecom, Inc. for failure to pay Regulatory Assessment Fees due prior to the time the entity filed bankruptcy, and for failure to notify the Commission of its change of address. The change of address must also have occurred prior to the bankruptcy filing, for at the time Asset Channels, Inc. d/b/a Asset Channels-Telecom, Inc. filed bankruptcy its address was 181 Main Street, Suite C, Monroe, Connecticut, and not the New Canaan address to which the Florida Public Service Commission addressed the subject Order. The bankruptcy estate of Asset Channels, Inc. d/b/a Asset Channels-Telecom, Inc. has no assets at this point.

6. The actions proposed by the Florida Public Service Commission appear to be a violation of 11 U.S.C. Section 362(a)(1) in that the cancellation appears to be the commencement of an administrative proceeding against the Debtor that might have been commenced before its bankruptcy, to obtain possession of property of the estate or to collect or assess a claim against the Debtor which arose before the bankruptcy case commenced.
7. Based on the foregoing facts, the undersigned requests that the Commission reverse the fines and penalties imposed and revoke cancellation of Alternative Local Exchange Telecommunications Certificate No. 7333 until the bankruptcy estate either transfers the

Certificate or is closed, or an evidentiary hearing.



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Petitioner,  
Roberta Napolitano, Chapter 7  
Trustee of the Bankruptcy Estate of  
Asset Channels, Inc., d/b/a Asset  
Channels-Telecom, Inc.  
350 Fairfield Avenue  
Bridgeport, Connecticut 06604

UNITES STATES BANKRUPTCY C RT  
DISTRICT OF CONNECTICUT

In Re:

Asset Channels, Inc.

ORDER  
5-7-01  
*[Signature]*

Debtor(s)

Case No. 01 - 31500

MAY 07 2001

ORDER CONVERTING CASE UNDER  
CHAPTER 11 TO A CASE UNDER CHAPTER 7

  X   The debtor in possession has filed a motion in accordance with 11 U.S.C. § 1112(a), seeking to convert this case to a case under chapter 7 of the Bankruptcy Code (title 11 of the United States Code). The court finds that the case is not an involuntary case originally commenced under chapter 11, and that the case has not been converted to a case under chapter 11 on other than the debtor's request.

\_\_\_\_\_ A party in interest other than the debtor has filed a motion in accordance with 11 U.S.C. 12(b) seeking to convert the case to a case under chapter 7 of the Bankruptcy Code (title 11 of the United States Code). The court finds, after notice and a hearing, that the motion should be granted.

IT IS ORDERED THAT:

1. This chapter 11 case is converted to a case under chapter 7.
2. The debtor in possession or the chapter 11 trustee shall:
  - a. forthwith turn over to the chapter 7 trustee all records and property of the estate under its custody and control as required by Bankruptcy Rule 1019(5); and
  - b. within 30 days of the date of this order, file an accounting of all receipts and distributions made, together with a schedule of all unpaid debts incurred after the commencement of the chapter 11 case as required by Bankruptcy Rule 1019(6).
3. The debtor within 15 days of the date of this order shall file the statements and schedules required by Bankruptcy Rules 1019(1)(A) and 1007(b), if such documents have not already been filed.
4. The debtor within 30 days of the date of this order shall if the case is converted after the confirmation of a plan, file:
  - a. a schedule of all property not listed in the final report and account of the debtor in possession or chapter 11 trustee which was acquired after the commencement of the chapter 11 case but before the entry of this conversion order,
  - b. a schedule of executory contracts entered into or assumed after the commencement of the chapter 11 case but before the entry of this conversion order, and
  - c. a schedule of unpaid debts not listed in the final report and account of the debtor in possession or chapter 11 trustee which were incurred after the commencement of the chapter 11 case but before the entry of this conversion order, as required by Bankruptcy Rule 1019(6); and
  - d. a statement of intention with respect to retention or surrender of property securing consumer debts, as required by 11 U.S.C. § 521(2)(A) and Bankruptcy Rule 1019(1)(B), and conforming to Official Form 8A.
5. Other provisions as needed

*Albert S. Dabrowski* 5/7/01  
ALBERT S. DABROWSKI  
UNITED STATES BANKRUPTCY JUDGE  
Bankruptcy Judge

MAY 07 2001  
Date

#10

U.S. Bankruptcy Court  
District of Connecticut (New Haven)

Bankruptcy Petition #: 01-31500

Date filed: 3/27/01  
Assigned to: Judge Albert S. Dabrowski  
Chapter 11 voluntary asset

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\* Attorneys \*

ASSET CHANNELS, INC.	Asset Channels, Inc.
aka	PRO SE
Asset Channels-Telecom, Inc.	
181 Main Street, Suite C	
Monroe, CT 06468	
Tax ID: 06-1580089	
* Debtor *	

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Proceedings include events between 1/1/31 and 5/4/01.

3/27/01	1	Voluntary Petition missing documents: Schedule I Schedule J , Disclosure statement due 7/25/01 Chapter 11 Plan due 7/25/01 ;Proof of Claim (gov) Deadline: 9/24/01 ( Filing Fee \$ 800.00 Receipt # 349136) (kt) [EOD 03/28/01]
3/27/01	--	Administrative Fee Paid ( Fee \$ 30.00 Receipt # 349136) (kt) [EOD 03/28/01]
3/28/01	2	Notice of First Meeting of Creditors Scheduled For 3:00 4/30/01 At Office of the U.S. Trustee ;Last Day to File Proofs of Claim: 7/30/01 (kt) [EOD 03/28/01]
3/31/01	4	Order To Pay Federal Pre-Petition Taxes, Interest Penalty and Post Petition to the I.R.S. with Certificate of Mailing thereon. (kt) [EOD 04/02/01]
3/31/01	5	Order To Pay State Pre-Petition Taxes, Interest Penalty and Post-Petition to the State of Connecticut. with Certificate of Mailing thereon. (kt) [EOD 04/02/01]
4/2/01	3	BNC's Certificate of Service for 341 Meeting Notice (bcap) [EOD 04/02/01]
4/9/01	6	Notice of Appearance And Request for Service of Notice By James P. Maher for Creditor Kimley-Horn & Assoc., Inc.. (mko) [EOD 04/10/01]
4/16/01	7	Notice of Appearance And Request for Service of Notice By Kristin B. Mayhew for Creditor CLE Engineering, Inc.. (mko) [EOD 04/17/01]

Proceedings include events between 1/1/31 and 5/4/01.  
01-31500 In re: Asset Channels, Inc.

4/26/01 8 Request by Creditor Nortel Networks Inc. for Notice. (mko)  
[EOD 04/26/01]

4/30/01 -- First Meeting Continued to 4:00 5/7/01 at Office of the  
U.S. Trustee (cla) [EOD 05/04/01]

5/4/01 9 Motion by Debtor Asset Channels, Inc. To Convert Case From  
Chapter 11 To Chapter 7 ( Filing Fee \$ 15.00, Receipt #  
349557) (mko) [EOD 05/04/01]