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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

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In re:	) Chapter 7
	)
Delta Phones, Inc., et al.,	) Case No. 04 B 00823
	) (Jointly Administered)
Debtor.	)
	) Hon. John H. Squires, presiding
	)
	) Hearing: June 14, 2004, at 9:30 a.m.

NOTICE OF ROUTINE MOTION

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on June 14, 2004, at the hour of 9:30 a.m., or as soon thereafter as counsel may be heard, the undersigned shall appear before the Honorable John H. Squires and present the attached **Trustee's Routine Motion to Abandon Personal Property of the Estate** in the court room usually occupied by him at the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division, 219 South Dearborn, Chicago, Illinois, at which time and place you may appear if you see fit. **This is a Routine Motion, pursuant to the United States Bankruptcy Court for the Northern District of Illinois Local Rule 9013-9(A), and the proposed order attached hereto may be entered by the Judge without presentment in open court unless a party in interest notifies the Judge of an objection thereto.**

RONALD R. PETERSON, not individually,  
but as chapter 7 trustee for the bankruptcy  
estate of Delta Phones, Inc., et al.

By:   
One of His Attorneys


- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_ Ronald R. Peterson (02188473)
- GCL \_\_\_\_\_ Karin H. Berg (6281021)
- OPC \_\_\_\_\_ JENNER & BLOCK LLP
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- RCA \_\_\_\_\_ (312) 840-7770 (Fax)
- SCR \_\_\_\_\_
- SEC 1 Dated: May 28, 2004
- OTH Nonny

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CERTIFICATE OF SERVICE

I, Karin H. Berg, an attorney, certify that I caused the attached **Trustee's Routine Motion to Abandon Personal Property of the Estate** to be served upon the parties on the attached Service List by depositing the same in the United States Mail, properly addressed and postage prepaid, on May 28, 2004.

  
Karin H. Berg

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re:	)	Chapter 7
	)	
Delta Phones, Inc., et al.,	)	Case No. 04 B 00823
	)	(Jointly Administered)
Debtor.	)	
	)	Hon. John H. Squires, presiding
	)	
	)	Hearing: June 14, 2004, at 9:30 a.m.

**TRUSTEE'S ROUTINE MOTION TO ABANDON  
PERSONAL PROPERTY OF THE ESTATE**

Ronald R. Peterson (the "Trustee"), not individually but as Chapter 7 trustee for the estates of Delta Phones, Inc., *et al.*, respectfully requests, pursuant to 11 U.S.C. § 554 and Federal Rule of Bankruptcy Procedure 6007(a), that the Court enter an order authorizing the Trustee to abandon certain personal property of the estate, and respectfully states as follows:

1. This Court has jurisdiction to consider and determine this Motion pursuant to 28 U.S.C. § 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory and rule-based predicates for the relief sought herein are 11 U.S.C. § 554 and Federal Rule of Bankruptcy Procedure 6007(a).

2. On January 8, 2004 (the "Petition Date"), Delta Phones, Inc. ("Delta Phones") and EZ Talk Communications, LLC ("EZ Talk" and together with Delta Phones, the "Debtors") filed their voluntary petitions for relief under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code").

3. Prior to the Petition Date, the Debtors were in the business of purchasing and reselling telephone services to individual customers.

4. On February 17, 2004, the United States Trustee filed motions in the Debtors' cases to limit the powers of the debtors in possession, and on February 19, 2004, the Court entered orders limiting the powers of the Debtors to disburse funds or transfer property of the estates.

5. On February 19, 2004, the Court entered an order appointing a Chapter 11 trustee, and on February 25, 2004, this Court entered an order approving the appointment of Ronald R. Peterson as the Chapter 11 trustee.

6. On March 4, 2004, the Court entered an order of joint administration, pursuant to Bankruptcy Rule 1015(b), providing for the joint administration of the Debtors' cases. On that same day, the Court entered an order converting the Debtors' cases to proceedings under Chapter 7 of the Bankruptcy Code, and the Trustee remained trustee herein.

7. The assets of the Delta Phones estate include a competitive local exchange company certificate (the "Certificate") issued by the Public Service Commission of the State of Florida (the "Commission").

8. In March 2004, the Commission sent Delta Phones a letter notifying Delta Phones that the Commission had imposed a \$20,000.00 fine (the "Regulatory Assessment Fee") upon Delta Phones. The letter also stated that the Commission had learned of Delta Phones' Chapter 7 bankruptcy proceeding and, due to the bankruptcy proceeding, would write off the Regulatory Assessment Fee if Delta Phones would cancel the Certificate if Delta Phones no longer operated in Florida.

9. Because Delta Phones is no longer operating, the Trustee concludes that the Certificate is burdensome and of inconsequential value.

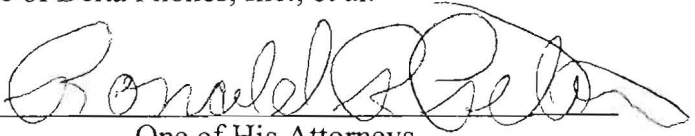
10. By this Routine Motion, the Trustee is providing to all of the Debtor's creditors listed in its schedules, Debtor's counsel and the United States Trustee notice, at the conclusion of which, if no objection is filed, this Court may grant this Routine Motion, and enter the proposed order, without a hearing.

11. Pursuant to Rule 6007(a) of the Federal Rules of Bankruptcy Procedure, the Trustee hereby gives notice of his proposed abandonment of the Certificate under section 554(a). The Trustee has provided notice hereof to the United States Trustee, to all creditors and all other parties in interest in the Delta Phones case, and to the parties in interest that formally requested notice by filing a written request for notice with the Court.

WHEREFORE, the Trustee respectfully requests that this Court enter an order authorizing the Trustee to abandon all interest in the Certificate and granting other such relief as the Court deems just and equitable.

Dated: May 28, 2004

RONALD R. PETERSON, not individually,  
but as chapter 7 trustee for the bankruptcy  
estate of Delta Phones, Inc., et al.

By:   
One of His Attorneys

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#1083141

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re:	)	Chapter 7
	)	
Delta Phones, Inc., et al.,	)	Case No. 04 B 00823
	)	(Jointly Administered)
Debtor.	)	
	)	Hon. John H. Squires, presiding
	)	

**ORDER AUTHORIZING TRUSTEE'S ABANDONMENT  
OF PERSONAL PROPERTY OF THE ESTATE**

At Chicago, Illinois  
June \_\_\_\_, 2004

THIS MATTER COMING TO BE HEARD upon the Trustee's Routine Motion to Abandon Property (the "Routine Motion"); due and proper notice of the Routine Motion having been given to all relevant parties; the Court having found that the proposed abandonment is appropriate because administration of these assets will provide no benefit to the estate; the Court having jurisdiction over the subject matter of this core proceeding and the parties thereto; and the Court being fully advised in the premised,

IT IS HEREBY ORDERED THAT:

- A. The Routine Motion is hereby granted.
- B. The Trustee's interest in the competitive local exchange certificate issued by the Public Service Commission of Florida be and hereby deemed abandoned.

ENTERED:

UNITED STATES BANKRUPTCY JUDGE

## SERVICE LIST

Annette Clark  
Revenue Cabinet  
P.O. Box 181  
Frankfort, KY 40602

Citizens Utility Ratepayer Board  
Accounting Office  
1500 SW Arrowhead Road  
Topeka, KS 66604-4027

Commonwealth Of Kentucky  
Public Service Commission  
211 Sower Blvd., P.O. Box 615  
Frankfort, KY 40602-0615

Department of Revenue  
Compliance Management  
915 SW Harrison Street  
Topeka, KS 66625-2007

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Kansas Department Of Revenue  
P.O. Box 12007  
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Arkansas USF  
P.O. Box 360481  
Pittsburgh, PA

City of Austin  
Telecommunication & Regulatory Affairs  
P.O. Box 1088  
Austin, TX 78767

Communications Services Tax Collections  
Florida Department of Revenue  
P.O. Box 6520  
Tallahassee, FL

Director of Revenue/ Missouri Public  
Service Comm - Attn: Budget & Fiscal  
P.O. Box 360  
Jefferson City, MO 65102

Florida Department Of Revenue  
5050 West Tennessee Street  
Tallahassee, FL 32399-0100

Florida Department Of State  
Sec Of State/Division Of Corporations  
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Illinois Department Of Revenue  
P.O. Box 19019  
Springfield, IL 62794-9019

Kansas Department Of Revenue  
915 SW Harrison Street, 3rd Floor  
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Kansas USF  
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Topeka, KS 66601-1512

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P.O. Box 12007  
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Division Of State Valuation  
200 Fair Oak Lane, 4th Fl., Station 2  
Frankfort, KY 40620

LA Dept Of Revenue  
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Monroe, LA 71210

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200 N Adams  
Lebanon, MO 65536

Louisiana Dept Of Revenue  
Excise Taxes Division  
P.O. Box 201  
Baton Rouge, LA 70821-0201

Mississippi State Tax Commission  
P.O. Box 960  
Jackson, MS 39215-1033

Mississippi Tax Commission  
P.O. Box 960  
Jackson, MS 39205-0960

Missouri Dept Of Revenue  
Division Of Taxation & Collection  
P.O. Box 3666  
Jefferson City, MO 65105-3390

Missouri Dept Of Revenue  
Division Of Taxation & Collection  
P.O. Box 3390  
Jefferson City, MO 65105-3390

Montana Dept Of Revenue  
P.O. Box 5805  
Helena, MT 59604-5805

Missouri Dept Of Revenue  
Taxpayer Services Bureau  
P.O. Box 285  
Jefferson City, MO 65105

Oklahoma Corp. Commission  
Attn: Finance Dept., Room 342  
2101 N. Lincoln Blvd.  
Oklahoma City, OK 73105

North Carolina Dept Of Revenue  
P.O. Box 58222  
Raleigh, NC 27640-0002

Oklahoma USF  
P.O. Box 375196  
Pittsburgh, PA 26362-7596

Oklahoma Tax Commission  
P.O. Box 26930  
Oklahoma, OK

Sales And Excise Tax  
Kansas Department Of Revenue  
915 SW Harrison Street  
Topeka, KS 66625-5000

PA Department Of Revenue  
Processing Division - Registry Unit  
Dept. 280705  
Harrisburg, PA 17128-0705

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Business Services/Corporate Division  
1201 State Capitol  
Springfield, IL 62723



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South Carolina Dept Of Revenue  
Withholding  
NOA  
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State Of Arkansas  
Sales And Use Tax Section  
P.O. Box 8092  
Little Rock, AR 72203-8092

State Of North Carolina Dept Of The Secretary Of State  
P.O. Box 29525  
Raleigh, NC 27626-0525

State Of Texas  
State Comptroller  
111 E. 17th Street  
Austin, TX 78774-0100

State Board Of Equalization  
Excise Taxes Division  
P.O. Box 942879  
Sacramento, CA 94279-6069

Tennessee Secretary Of State  
Attn: Annual Report  
312 Eight Ave., 6th Floor  
Nashville, TN 37243

State Of Louisiana Dept. Of Revenue  
Collection Division  
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Texas County Collector  
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State Of South Carolina  
Dept Of Revenue  
301 Geravis St., P.O. Box 2535  
Columbia, SC 29201

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Governments  
21 E. Main Street, Suite 100  
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Arkansas Public Service Commission  
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Little Rock, AR 72203

The Individual & Corporate Tax Division  
Withholding Tax Section  
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Montgomery, AL 36132-7480

Texas Comptroller Of Public Accounts  
Comptroller's Enforcement Office  
1112 W 6th Street  
Austin, TX 78701

The State Of New Hampshire  
Corporate Division/Dept. Of State  
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Concord, NH 03302-0002

Texas Workforce Commission  
Tax Department  
101 E. 15th Street, Room 504  
Austin, TX 78778

Withholding Tax Bureau Of Revenue  
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The City Of Albertville  
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AT & T Wireless-18659946  
P.O. Box 8220  
Aurora, IL 60572-8220

AT & T Wireless - 61910865  
P.O. Box 8220  
Aurora, IL 60572-8220

The Public Service Commission Of SC-USF  
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Palatine, IL 60055-0001

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Bellville, TX 77418-0911

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Aurora, IL 60572-8229

Boult Cummings Connors & Berry  
P.O. Box 198062  
Nashville, TN 37219-8062

Bayou Internet  
P.O. Box 4808  
Monroe, LA 71211-4808

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141 DeSaird Street, Suite 808  
Monroe, LA 71201

BPS Telephone Company  
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Butler County Emergency Service Division  
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El Dorado, KS 67042

Butler County Emergency Communications  
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Ste. 1060  
Austin, TX 78701-2157

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CCH Incorporated  
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Carol Stream, IL 60197-4307

CDW Computer Centers, Inc.  
P.O. Box 75723  
Chicago, IL 60675-5723

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Belton, TX 76513-0729

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Concordia, KS 66901

City of Lancaster  
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P.O. Box 940  
Lancaster, TX 75146

City of Mesquite E-911  
P.O. Box 850137  
Mesquite, TX 75185

City of Perry  
E-911  
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Hoffman Estates, IL 60195-8594

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Joliet, IL 60436-1868

M&T Capital Group  
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Naperville, IL 60563

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Amarillo, TX 79101

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507 Church Ave.  
Mena, AR 71953-3257

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Little Rock, AR 72203-0400

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Carol Stream, IL 60197-4646

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Bolingbrook, IL 60490-6504

PW/MS Management, Inc.  
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100 Campus Dr., Ste. 200  
Florham Park, NJ 07932-1006

Riley County 911  
Courthouse Plaza  
Manhattan, KS 66052

Qwest  
P.O. Box 29060  
Phoenix, AZ 85038-9060

Rogers County  
E-911  
219 S. Missouri, Room 1-109  
Claremore, OK 74017



Savvis Communications Corp.  
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St. Louis, MO 63150-2880

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P.O. Box 2153 Dept. 3314  
Birmingham, AL 35201-2153

Secretary of State IL  
Dept. of Business Services  
Springfield, IL 62756-0001

Sedgwick County Finance Dept.  
Attn: E-911 Coordinator  
525 N. Main Street, Room 823  
Wichita, KS 62703

Sevier County Judges Office  
115 North 3rd Street  
Sevier, AR 71832

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Financial Administrator  
200 SE 7th Street  
Topeka, KS 66612

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