

ORIGINAL

JENNER & BLOCK

October 20, 2004

VIA U.S. MAIL

State of Florida  
Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Jenner & Block LLP Chicago  
One IBM Plaza Dallas  
Chicago, IL 60611-7603 Washington, DC  
Tel 312 222-9350  
www.jenner.com

Ronald R. Peterson  
Tel 312 923-2981  
Fax 312 840-7381  
rpeterson@jenner.com

Re: **In re Delta Phones, Inc., et al.,  
U.S. Bankr. Ct. N.D. Ill. Case No. 04-00823, et al.**

RECEIVED-FPSC  
OCT 26 AM 9:51  
COMMISSION  
CLERK

To Whom It May Concern:

I am the Trustee for the estates of Delta Phones, Inc. and EZ Talk Communications (the "Debtors") in the above-referenced cases.

I am in receipt of your letter dated August 17, 2004. This letter serves to inform you that as of the date of my appointment as Trustee, February 25, 2004, the Debtors have ceased all operations. Furthermore, on March 5, 2004, the United State Bankruptcy Court for the Northern District of Illinois entered an order converting the Debtors' cases to cases under Chapter 7 of the Bankruptcy Code. Accordingly, I am in the process of liquidating the Debtors' estates.

For your reference, I have enclosed copies of the following documents: (1) the Debtors' petitions for Chapter 11 relief; (2) the orders appointing me as Trustee in these cases; and (3) the order converting the cases to proceedings under Chapter 7 of the Bankruptcy Code.

Very truly yours,

Ronald R. Peterson

CMP \_\_\_\_\_ RRP:khb  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL 1  
OPC \_\_\_\_\_  
MMS 1  
RCA \_\_\_\_\_  
SCR \_\_\_\_\_  
SEC 1  
OTH Grant

DISTRIBUTION CENTER

2004 OCT 26 AM 8:56

DOCUMENT NUMBER-DATE

11547 OCT 26 03

FPSC-COMMISSION CLERK

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



GENERAL COUNSEL  
RICHARD D. MELSON  
(850) 413-6248

## Public Service Commission

August 17, 2004

**RESPONSE IS REQUIRED**

*PLEASE NOTE - if you are NOT providing services, you may simply check the following box and fax this page to (850) 413-6403. The request does have questions of a general nature, such as barriers to entry, so please feel free to respond to any applicable questions.*

TX155  
EZ Talk Communications, L.L.C.  
One IBM Plaza, Suite 3800  
Chicago, IL 60611-7604

**RE: Failure to Respond to Year 2004 Local Competition Report Data Request**

Dear Sir or Madam:

On June 3, 2004, Ms. Roberta S. Bass, Chief of the Office of Market Monitoring and Strategic Analysis, requested data from your company. The data request was sent via the United States Postal Service, certified mail. In her correspondence, Ms. Bass requested that you provide responses no later than July 15, 2004. Our records indicated that your company has not yet responded to our data request.

Your company's input to this annual data request is very important. The Commission is directed by Section 364.386, Florida Statutes, to submit a report by December 1, each year, to the President of the Senate, the Speaker of the House of Representatives, and the majority and minority leaders of the Senate and the House of Representatives.

This report is specifically designed to apprise the Florida Legislature on the state of competition in your industry. The FPSC wants to be in a position to accurately describe the state of your industry and we simply cannot do it without the cooperation of businesses such as your own.

In order to meet this legislative mandate, it is critical that each competitive local exchange company (CLEC), that maintains a Certificate of Public Convenience and Necessity in Florida, timely

FORM B1

United States Bankruptcy Court  
Northern District of Illinois, Eastern Division Division

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle):  
EZ Talk Communications, LLC

Name of Joint Debtor (Spouse) (Last, First, Middle):

All Other Names used by the Debtor in the last 6 years  
(include married, maiden, and trade names):

All Other Names used by the Joint Debtor in the last 6 years  
(include married, maiden, and trade names):

Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D.  
No. (if more than one, state all): 76-0520832

Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D.  
No. (if more than one, state all):

Street Address of Debtor (No. & Street, City, State & Zip Code):  
1245 East Diehl Rd.  
Suite 300  
Naperville, IL 60653

Street Address of Joint Debtor (No. & Street, City, State & Zip Code):

County of Residence or of the  
Principal Place of Business: DuPage

County of Residence or of the  
Principal Place of Business:

Mailing Address of Debtor (if different from street address):

Mailing Address of Joint Debtor (if different from street address):

Location of Principal Assets of Business Debtor  
(if different from street address above):

Information Regarding the Debtor (Check the Applicable Boxes)

Venue (Check any applicable box)

- Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

Type of Debtor (Check all boxes that apply)

- Individual(s)
- Corporation
- Partnership
- Other LLC
- Railroad
- Stockbroker
- Commodity Broker
- Clearing Bank

Chapter or Section of Bankruptcy Code Under Which  
the Petition is Filed (Check on box)

- Chapter 7
- Chapter 11
- Chapter 13
- Chapter 9
- Chapter 12
- Sec. 304 - Case ancillary to foreign proceeding

Nature of Debts (Check one box)

- Consumer/Non-Business
- Business

Filing Fee (Check one box)

- Full Filing Fee attached
- Filing Fee to be paid in installments (applicable to individuals only)  
Must attach signed application for the court's consideration  
certifying that the debtor is unable to pay fee except in installments.  
Rule 1006(b). See Official Form No. 3.

Chapter 11 Small Business (Check all boxes that apply)

- Debtor is a small business as defined in 11 U.S.C. § 101
- Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)

Statistical/Administrative Information (Estimates only)

- Debtor estimates that funds will be available for distribution to unsecured creditors
- Debtor estimates that, after any exempt property is excluded and administrative fees paid, there will be no funds available for distribution to unsecured creditors.

Estimated Number of Creditors	1-15	16-49	50-99	100-199	200-999
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Assets	\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,000 to \$100 million
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Debts	\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,000 to \$100 million
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

U.S. Bankruptcy Court  
Northern District of Illinois

Filed: 01/08/2004  
 Time: 15:43:30  
 Debtor: EZ TALK COMMUNICATIONS,  
 Case: 04-00828 Fee: 839  
 Chapter: 11 Rec. #: J055177  
 Judge: John Squires



1:04BK00828-BK001

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>	Name of Debtor(s): <b>EZ Talk Communications, LLC</b>
---	--

Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)		
Location Where Filed: <b>None</b>	Case Number:	Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)		
Name of Debtor: <b>Delta Phones, Inc.</b>	Case Number:	Date Filed: <b>1/8/03</b>

District: <b>Northern District Of Illinois, Eastern Division</b>	Relationship:	Judge:
---	---------------	--------

**Signatures**

**Signature(s) of Debtor(s) (Individual/Joint)**  
I declare under penalty of perjury that the information provided in this petition is true and correct.  
[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

\_\_\_\_\_  
Signature of Debtor

\_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Attorney

**Michael Davis**  
Printed Name of Attorney for Debtor(s)

**Kofkin, Springer, Scheinbaum & Davis, P.C.**  
Firm Name

**811 S. Addison Road**  
Address

**Addison, IL 60101**

**(630) 530-9999**  
Telephone Number

\_\_\_\_\_  
Date

**Signature of Debtor (Corporation/Partnership)**  
I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.  
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

\_\_\_\_\_  
Signature of Authorized Individual

**Falleen Mintz**  
Printed Name of Authorized Individual

**Manages**  
Title of Authorized Individual

**1/8/03**  
Date

**Exhibit A**  
(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

Exhibit A is attached and made a part of this petition.

**Exhibit B**  
(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

\_\_\_\_\_  
Signature of Attorney for Debtor(s) Date

**Exhibit C**  
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

Yes, and Exhibit C is attached and made a part of this petition.  
 No

**Signature of Non-Attorney Petition Preparer**  
I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

\_\_\_\_\_  
Printed Name of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social Security Number (Required by 11 U.S.C. § 110(e).)

\_\_\_\_\_  
Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

\_\_\_\_\_  
Signature of Bankruptcy Petition Preparer

\_\_\_\_\_  
Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

© 1999-2003 EZ-File, Inc. (1-800-999-5429) - Forms Software Only

United States Bankruptcy Court  
Northern District of Illinois, Eastern Division Division

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Delta Phones Inc.	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all): 72-1143910	Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all):
Street Address of Debtor (No. & Street, City, State & Zip Code): 1245 E. Diehl Rd. St. 300 Naperville, IL 60563	Street Address of Joint Debtor (No. & Street, City, State & Zip Code):
County of Residence or of the Principal Place of Business: DuPage	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):

Location of Principal Assets of Business Debtor  
(if different from street address above):

Information Regarding the Debtor (Check the Applicable Boxes)

Venue (Check any applicable box)

- Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

Type of Debtor (Check all boxes that apply)

- Individual(s)
- Corporation
- Partnership
- Other
- Railroad
- Stockbroker
- Commodity Broker
- Clearing Bank

Chapter or Section of Bankruptcy Code Under Which  
the Petition is Filed (Check on box)

- Chapter 7
- Chapter 11
- Chapter 13
- Chapter 9
- Chapter 12
- Sec. 304 - Case ancillary to foreign proceeding

Nature of Debts (Check one box)

- Consumer/Non-Business
- Business

Filing Fee (Check one box)

- Full Filing Fee attached
- Filing Fee to be paid in installments (applicable to individuals only)  
Must attach signed application for the court's consideration  
certifying that the debtor is unable to pay fee except in installments.  
Rule 1006(b). See Official Form No. 3.

Chapter 11 Small Business (Check all boxes that apply)

- Debtor is a small business as defined in 11 U.S.C. § 101
- Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)

Statistical/Administrative Information (Estimates only)

- Debtor estimates that funds will be available for distribution to unsecured credit
- Debtor estimates that, after any exempt property is excluded and administrative paid, there will be no funds available for distribution to unsecured creditors.

THIS SPACE IS FOR COURT USE ONLY

U.S. Bankruptcy Court  
Northern District of Illinois

Filed: 01/08/2004  
Time: 15:36:38  
Debtor: DELTA PHONES INC.  
Case: 04-00823 Fee: 839  
Chapter: 11 Rec. #: 3055171  
Judge: John Squires

Estimated Number of Creditors	1-15	16-49	50-99	100-199	200-9		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Estimated Assets	\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Estimated Debts	\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>	Name of Debtor(s): <b>Delta Phones Inc.</b>
---	--

<b>Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)</b>		
Location Where Filed: <b>None</b>	Case Number:	Date Filed:

<b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)</b>		
Name of Debtor: <b>EZ Talk Communications LLC</b>	Case Number:	Date Filed: <b>1/8/03</b>
District: <b>Northern District Of Illinois, Eastern Division</b>	Relationship:	Judge:

### Signatures

**Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

\_\_\_\_\_  
Signature of Debtor

\_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
Date

**Signature of Attorney**

Michael J. Davis  
Signature of Attorney for Debtor(s)

Michael J. Davis  
Printed Name of Attorney for Debtor(s)

Kofkin, Springer, Scheinbaum & Davis, P.C.  
Firm Name

611 S. Addison Road  
Address

Addison, IL 60101

(630) 630-9999  
Telephone Number

\_\_\_\_\_  
Date

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Fallean Mintz  
Signature of Authorized Individual

Fallean Mintz  
Printed Name of Authorized Individual

Chief Executive Officer  
Title of Authorized Individual

1/8/03  
Date

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

Exhibit A is attached and made a part of this petition.

**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

\_\_\_\_\_  
Signature of Attorney for Debtor(s) Date

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

Yes, and Exhibit C is attached and made a part of this petition.

No

**Signature of Non-Attorney Petition Preparer**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

\_\_\_\_\_  
Printed Name of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social Security Number (Required by 11 U.S.C. § 110(e).)

\_\_\_\_\_  
Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

\_\_\_\_\_  
Signature of Bankruptcy Petition Preparer

\_\_\_\_\_  
Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

© 1993-2003 EZ Filing, Inc. [1-800-668-5421] - Form 1 Software Only

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IN RE: ) CHAPTER 11 PROCEEDING  
)  
DELTA PHONES, INC., ) CASE NO. 04 B 00823  
)  
DEBTOR. ) JUDGE JOHN H. SQUIRES

ORDER

Upon the United States Trustee's Application for an Order Approving the Appointment of a Trustee, it is ORDERED that notice is shortened to that given, the Application is GRANTED and that the appointment of Ronald Peterson as Trustee is APPROVED.

DATED: *2/25/04*

FEB 25 2004

*John H. Squires*  
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IN RE:

EZ TALK COMMUNICATIONS, INC.

DEBTOR.

) CHAPTER 11 PROCEEDING

) CASE NO. 04 B 00828

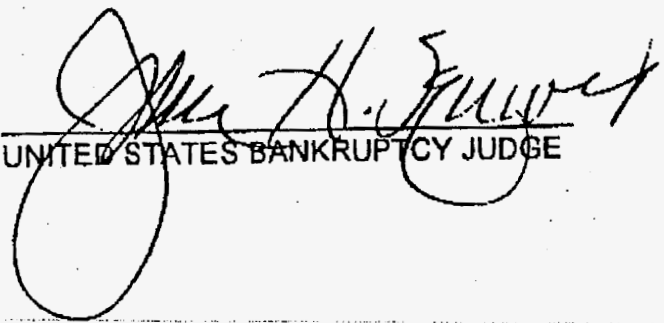
) JUDGE JOHN H. SQUIRES

ORDER

Upon the United States Trustee's Application for an Order Approving the Appointment of a Trustee, it is ORDERED that notice is shortened to that given, that the Application is GRANTED and that the appointment of Ronald Peterson as Trustee is APPROVED.

DATED: \_\_\_\_\_

FEB 25 2004

  
UNITED STATES BANKRUPTCY JUDGE





4. This matter is set for a status hearing on 4/1, 2004  
at 9:30 AM in Courtroom No. 680 of the Everett McKinley Dirksen  
Federal Court House, 219 South Dearborn Street, Chicago, Illinois. At that  
hearing, the court will determine whether the Designated Person has  
complied with this order and, if not, consider such requests for further relief  
as may be required to secure compliance with this order.

DATED: 3/4/04

ENTERED: [Signature]

UNITED STATES BANKRUPTCY JUDGE

MAR - 4 2004