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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

COMMISSION  
CLERK

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 In re: Chapter 11  
 BIRCH TELECOM, INC., Case No. 05-12237 (PJW)  
et al., Jointly Administered  
 Debtors. ----- X

NOTICE OF THE GENERAL BAR DATE  
AND PROCEDURES FOR FILING PROOFS OF CLAIM

TO ALL CREDITORS, EQUITY INTEREST HOLDERS OF THE DEBTORS, AND OTHER  
PARTIES-IN-INTEREST:

In accordance with an order entered on September 30, 2005 (the "Bar Date Order") by the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court"), the Bankruptcy Court has established 5:00 p.m. (Eastern Time) on November 4, 2005 as the general claims bar date (the "General Bar Date") in the chapter 11 cases of the above-captioned debtors and debtors-in-possession (collectively, the "Debtors"). The Debtors and their respective addresses, case numbers, and federal tax identification numbers are as follows:

DEBTOR	ADDRESS	CASE NO.	EID #
<u>Birch Telecom, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12237 (PJW)</u>	<u>84-1510894</u>
<u>Birch Telecom 1996, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12238 (PJW)</u>	<u>43-1766929</u>
<u>lonex Communications, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12239 (PJW)</u>	<u>48-1109643</u>
<u>lonex Communications North, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12240 (PJW)</u>	<u>46-0427192</u>
<u>lonex Communications South, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12241 (PJW)</u>	<u>75-1855826</u>
<u>lonex Telecommunications Leasing Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12242 (PJW)</u>	<u>75-2936844</u>

CMP \_\_\_\_\_  
 COM \_\_\_\_\_  
 CTR \_\_\_\_\_  
 ECR \_\_\_\_\_  
 GCL \_\_\_\_\_  
 OPC \_\_\_\_\_  
 RCA \_\_\_\_\_  
 SCR \_\_\_\_\_  
 SGA \_\_\_\_\_  
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COMM. CLERK

<u>Telecom Resources, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12243 (PJW)</u>	<u>75-2624201</u>
<u>Birch Equipment, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12244 (PJW)</u>	<u>43-1848981</u>
<u>Birch Internet Services, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12245 (PJW)</u>	<u>43-1848982</u>
<u>Birch Kansas Holdings, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12246 (PJW)</u>	<u>43-1826820</u>
<u>Birch Management Corporation</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12247 (PJW)</u>	<u>48-1195597</u>
<u>Birch Telecom Finance, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12248 (PJW)</u>	<u>43-1870550</u>
<u>Birch Telecom of Arkansas, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12249 (PJW)</u>	<u>43-1861378</u>
<u>Birch Telecom of Kansas, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12250 (PJW)</u>	<u>48-1120075</u>
<u>Birch Telecom of Missouri, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12251 (PJW)</u>	<u>43-1795329</u>
<u>Birch Telecom of Nebraska, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12252 (PJW)</u>	<u>43-1826822</u>
<u>Birch Telecom of Oklahoma, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12253 (PJW)</u>	<u>43-1823260</u>
<u>Birch Texas Holdings, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12254 (PJW)</u>	<u>43-1822636</u>
<u>Birch Telecom of the Great Lakes, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12255 (PJW)</u>	<u>43-1887314</u>
<u>Birch Telecom of the South, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12256 (PJW)</u>	<u>43-1877678</u>
<u>Birch Telecom of the West, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12257 (PJW)</u>	<u>43-1826817</u>
<u>Capital Communications Corporation</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12258 (PJW)</u>	<u>43-1200137</u>
<u>Dunn &amp; Associates, Inc.</u>	<u>2300 Main Street</u> <u>Suite 600</u> <u>Kansas City, MO 64108</u>	<u>05-12259 (PJW)</u>	<u>48-1159966</u>

<u>I.S. Advertising, Inc.</u>	<u>2300 Main Street Suite 600 Kansas City, MO 64108</u>	<u>05-12260 (P JW)</u>	<u>48-1136999</u>
<u>Telesource Communications, Inc.</u>	<u>2300 Main Street Suite 600 Kansas City, MO 64108</u>	<u>05-12261 (P JW)</u>	<u>48-1004150</u>
<u>American Local Telecommunications L.L.C.</u>	<u>2300 Main Street Suite 600 Kansas City, MO 64108</u>	<u>05-12262 (P JW)</u>	<u>75-2756267</u>
<u>Birch Telecom of Texas Ltd., L.L.P.</u>	<u>2300 Main Street Suite 600 Kansas City, MO 64108</u>	<u>05-12263 (P JW)</u>	<u>75-2778531</u>
<u>G.B.S. Communications, Inc.</u>	<u>2300 Main Street Suite 600 Kansas City, MO 64108</u>	<u>05-12264 (P JW)</u>	<u>43-1202589</u>
<u>M.B.S. Leasing, Inc.</u>	<u>2300 Main Street Suite 600 Kansas City, MO 64108</u>	<u>05-12265 (P JW)</u>	<u>43-1261920</u>

The General Bar Date and the procedures set forth below for filing proofs of claim apply to all claims against the Debtors that arose prior to August 12, 2005 (the "Petition Date"), except for those holders of claims that are specifically excluded from the requirement to file a proof of claim.

#### 1. WHO MUST FILE A PROOF OF CLAIM

You MUST file a proof of claim to share in distributions, if any, from the Debtors' bankruptcy estates if you have a claim that arose prior to the Petition Date and it is not one of the types of claims for which it is not necessary to file a proof of claim. Claims based on acts or omissions of the Debtors that occurred before the Petition Date must be filed on or prior to the General Bar Date, even if such claims are not now fixed, liquidated, or certain or did not mature or become fixed, liquidated, or certain before the Petition Date.

Under section 101(5) of the Bankruptcy Code, 11 U.S.C. §§ 101-1330, and as used in this notice, the word "claim" means: (a) right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

**This notice is being sent to many persons and entities that have had some relationship with or have done business with the Debtors but may not**

**have an unpaid claim against the Debtors. The fact that you have received this notice does not mean that you have a claim or that the Debtors or the Bankruptcy Court believe that you have a claim against the Debtors.**

2. WHAT TO FILE

The Debtors are enclosing a proof of claim form for use in these chapter 11 cases. If your claim is scheduled by the Debtors, the form sets forth the amount of your claim, as scheduled by the Debtors, and whether the claim is scheduled as disputed, contingent, or unliquidated. You may utilize the proof of claim form(s) provided by the Debtors to file your claim. Additional proof of claim forms may be obtained at <http://www.uscourts.gov/bkforms/official/b10.pdf>.

All proofs of claim must be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant. The proof of claim must be completed in English and be denominated in United States currency. You should attach to your completed proof of claim any documents on which the claim is based (if voluminous, attach a summary) or an explanation as to why the documents are not available.

**Any holder of a claim against more than one Debtor must file a separate proof of claim with respect to each such Debtor and all holders of claims must identify on their proof of claim the specific Debtor against which their claim is asserted and the case number of that Debtor's bankruptcy case.**

3. WHEN AND WHERE TO FILE A PROOF OF CLAIM

Except as provided for herein, all proofs of claim must be filed so as to be **received on or before 5:00 p.m. (Eastern Time) on November 4, 2005**, at the following address:

**Birch Telecom, Inc.  
c/o Bankruptcy Services LLC  
757 Third Avenue, Third Floor  
New York, NY 10017**

Proofs of claim will be deemed timely filed only when received at the address above on or before the General Bar Date. Proofs of claim may not be delivered by facsimile, telecopy, or electronic mail transmission.

Governmental units may have until February 8, 2006, the date that is 180 days after the order for relief, to file proofs of claim.

#### 4. WHO DOES NOT NEED TO FILE A PROOF OF CLAIM

You do not need to file a proof of claim on or prior to the General Bar Date for the following types of claims:

- a. Claims listed in the Schedules of Assets and Liabilities or any amendments thereto that are not therein listed as "contingent," "unliquidated," or "disputed" and that are not disputed by the holders thereof as to (a) amount, (b) classification, or (c) the identity of the Debtor against whom such claim is scheduled;
- b. Claims on account of which a proof of claim has already been properly filed with the Bankruptcy Court against the correct Debtor;
- c. Claims previously allowed or paid pursuant to an order of the Bankruptcy Court, including those paid pursuant to the "first-day" orders permitting the Debtors to satisfy certain prepetition claims;
- d. Claims allowable under 11 U.S.C. §§ 503(b) and 507(a)(1) as expenses of administration; and
- e. Claims of Debtors against other Debtors.

If you are a holder of an equity interest of the Debtors, you do not need to file a proof of claim or interest with respect to the ownership of such equity interest at this time. If, however, you assert (a) any claim arising from the rescission of a purchase or sale of any interest issued by the Debtors, (b) any claim for damages arising from the purchase or sale of any interest issued by the Debtors, or (c) any claim for reimbursement, contribution, or indemnification on account of any such claims, a proof of such claim must be filed on or prior to the General Bar Date pursuant to the procedures set forth in this notice.

#### 5. CLAIMS ON ACCOUNT OF REJECTED EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Any person or entity that has a claim arising from the rejection of an executory contract or unexpired lease, must file a proof of claim with respect to such claim by the later of (a) the date fixed by the Bankruptcy Court in the applicable order authorizing rejection of such contract or lease or (b) the General Bar Date.

6. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE GENERAL BAR DATE

**Any holder of a claim who is not excepted from the requirements of the Bar Date Order and who fails to timely file a proof of claim in the appropriate form will be barred from asserting such claim against the Debtors and their chapter 11 estates, from voting on any plan(s) of reorganization filed in these chapter 11 cases, and from participating in any distribution in the Debtors' cases on account of such claim.**

7. THE DEBTORS' SCHEDULES AND ACCESS THERETO

You may be listed as the holder of a claim against the Debtors in the Debtors' Schedules of Assets and Liabilities and/or Schedules of Executory Contracts and Unexpired Leases (collectively, the "Schedules").

To determine if and how you are listed in the Schedules, please refer to the descriptions set forth on the enclosed proof of claim form regarding the nature, amount, and status of your claim(s). If you received postpetition payments from the Debtors (as authorized by the Bankruptcy Court) on account of your claim, the enclosed proof of claim form may reflect the net amount of your claim.

If you rely on the Debtors' Schedules, it is your responsibility to determine that the claim is accurately listed in the Schedules. If your claim is scheduled, you may rely on the enclosed form, which lists your claim as scheduled, identifies the Debtor against which it is scheduled, and specifies whether the claim is disputed, contingent, or unliquidated.

As set forth above, if you agree with the nature, amount, and status of your claim as listed in the Debtors' Schedules, and if your claim is not described as "contingent," "unliquidated," or "disputed," you do not need to file a proof of claim. Otherwise, or if you decide to file a proof of

claim, you must do so before the General Bar Date in accordance with the procedures set forth in this notice.

Copies of the Debtors' Schedules are available for inspection online at the Bankruptcy Court's Internet Website at <http://www.deb.uscourts.gov>. A login and password to the Bankruptcy Court's Public Access to Electronic Court Records ("PACER") are required to access this information and can be obtained through the PACER Service Center at <http://www.ecf.deb.uscourts.gov>. Copies of the Schedules may also be examined between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday, at the Office of the Clerk of the

United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3<sup>rd</sup> Floor, Wilmington, Delaware 19801. Copies of the Debtors' Schedules may also be obtained upon written request to Bankruptcy Services LLC, 757 Third Avenue, Third Floor, New York, NY 10017 or by telephone at (646) 282-2500.

**A holder of a possible claim against the Debtors should consult an attorney regarding any matters not covered by this notice or any questions regarding whether the holder should file a proof of claim.**

Dated: Wilmington, Delaware  
October 4, 2005

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Attorneys for Birch Telecom, Inc., et al., Debtors and Debtors-in-Possession

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE  
 BANKRUPTCY SERVICES LLC  
 ATTN: BIRCH TELECOM, INC., ET AL. CLAIMS PROCESSING CENTER  
 757 Third Avenue, 3<sup>rd</sup> Floor  
 NEW YORK, NY 10017

**PROOF OF CLAIM**

In Re: Birch Telecom, Inc., et al.,  Debtors.	Chapter 11 Case No. 05-12237 (PJW) (Jointly Administered)
Name of Debtor Against Which Claim is Held	Case No. of Debtor

**NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.**

**THIS SPACE IS FOR COURT USE ONLY**

**Name and address of Creditor : (and name and address where notices should be sent if different from Creditor)**

BTC BDN 10/4/2005 ECSS 607353  
 FLORIDA PUBLIC SERVICE COMMISSION  
 2540 SHUMARD OAK BOULEVARD  
 TALLAHASSEE FL 32399-0850

**Telephone number:**

Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

Check box if you have never received any notices from the bankruptcy court in this case.

Check box if the address differs from the address on the envelope sent to you by the court.

BSI ID 17790 DIR ID 180006

**Account or other number by which creditor identifies debtor:**

**Check here if this claim:**

replaces  amends a previously filed claim, dated: \_\_\_\_\_

**1. Basis for Claim**

Goods sold  
 Services performed  
 Money loaned  
 Personal injury/wrongful death  
 Taxes  
 Other \_\_\_\_\_ (explain)

Retiree benefits as defined in 11 U.S.C. § 1114(a)  
 Wages, salaries, and compensation (fill out below)

Last Four Digits of your SS#: \_\_\_\_\_  
 Unpaid compensation for services performed  
 from \_\_\_\_\_ (date) to \_\_\_\_\_ (date)

**2. Date debt was incurred:**

**3. If court judgment, date obtained:**

**4. Total Amount of Claim at Time Case Filed:** \$ \_\_\_\_\_ + \_\_\_\_\_ (secured) + \_\_\_\_\_ (unsecured priority) = \_\_\_\_\_ (Total)  
(unsecured nonpriority)

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 7 below.

Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.

**5. Secured Claim.**

Check this box if your claim is secured by collateral (including a right of setoff).  
 Brief Description of Collateral:  
 Real Estate  Motor Vehicle  
 Other \_\_\_\_\_

Value of Collateral: \$ \_\_\_\_\_  
 Amount of arrearage and other charges at time case filed included in secured claim, if any: \$ \_\_\_\_\_

**7. Unsecured Priority Claim.**

Check this box if you have an unsecured priority claim  
 Amount entitled to priority \$ \_\_\_\_\_  
 Specify the priority of the claim:

Wages, salaries or commissions (up to \$10,000), earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(3).  
 Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(4).  
 Up to \$2,225 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6).  
 Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7).  
 Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).  
 Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(\_\_\_\_\_).

**6. Unsecured Nonpriority Claim:** \$ \_\_\_\_\_

Check this box if: a) there is no collateral or lien securing your claim, or b) your claim exceeds the value of the property securing it, or if c) none or only part of your claim is entitled to priority.

**8. Credits:** The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.

**9. Supporting Documents:** Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien.  
**DO NOT SEND ORIGINAL DOCUMENTS.** If the documents are not available, explain. If the documents are voluminous, attach a summary.

**10 Date-Stamped Copy:** To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

**THIS SPACE IS FOR COURT USE ONLY**

**Date** \_\_\_\_\_ **Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any):** \_\_\_\_\_



# INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.

## DEFINITIONS

### **Debtor**

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

### **Creditor**

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

### **Proof of Claim**

A form filed with the clerk of the bankruptcy court where the bankruptcy case was filed, to tell the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

### **Secured Claim**

A claim is a secured claim if the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began. In some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also *Unsecured Claim*)

### **Unsecured Claim**

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

### **Unsecured Priority Claim**

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

## Items to be completed in Proof of Claim form (if not already filled in)

### **Court, Name of Debtor and Case Number:**

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

### **Information about Creditor:**

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

### **1. Basis for Claim:**

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in your social security number and the dates of work for which you were not paid.

### **2. Date Debt Incurred:**

Fill in the date when the debt first was owed by the debtor.

### **3. Court Judgments:**

If you have a court judgment for this debt, state the date the court entered the judgment.

### **4. Total Amount of Claim at Time Case Filed:**

Fill in the applicable amounts, including the total amount of the entire claim. If interest or other charges in addition to the principal amount of claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

### **5. Secured Claim:**

Check the appropriate place if the claim is a secured claim. You must state the type and value of the property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

### **6. Unsecured Nonpriority Claim:**

Check the appropriate place if you have an unsecured nonpriority claim, sometimes referred to as a "general unsecured claim". (See DEFINITIONS, above.) If your claim is partly secured and partly unsecured, state here the amount that is unsecured. If part of your claim is entitled to priority, state here the amount **not** entitled to priority.

### **7. Unsecured Priority Claim:**

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above.) A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

### **8. Credits:**

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

### **9. Supporting Documents:**

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.