

Hearing Date and Time: September 14, 2012 at 10:00 a.m. (Eastern Time)  
Objection Deadline: September 7, 2012 at 5:00 p.m. (Eastern Time)

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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re : Chapter 11  
: :  
Broadview Networks Holdings, Inc., et al.,<sup>1</sup> : Case No. 12-13581 (SCC)  
: :  
Debtors. : Jointly Administered  
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**NOTICE OF HEARING ON CERTAIN FILED MOTIONS AND ORDERS**

**PLEASE TAKE NOTICE** that, on August 22, 2012 (the "**Petition Date**"), the above-captioned debtors and debtors in possession (collectively, the "**Debtors**") each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the "**Bankruptcy Code**") with the United States Bankruptcy Court for the Southern District of New York (the "**Court**").

**PLEASE TAKE FURTHER NOTICE** that, on August 23, 2012, the Court held a hearing on various forms of "first day" relief requested by the Debtors and entered the following interim orders (the "**Interim First Day Orders**"):

- Interim Order Authorizing: (A) Continued Use of the Debtors' Cash Management System and Procedures; (B) Maintenance and Continued Use

<sup>1</sup> The last four digits of the taxpayer identification numbers of the Debtors follow in parentheses: (i) Broadview Networks Holdings, Inc. (0798); (ii) A.R.C. Networks, Inc. (0814); (iii) ARC Networks, Inc. (4934); (iv) ATX Communications, Inc. (2245); (v) ATX Licensing, Inc. (9838); (vi) ATX Telecommunications Services of Virginia, LLC (3888); (vii) BridgeCom Holdings, Inc. (2965); (viii) BridgeCom International, Inc. (3985); (ix) BridgeCom Solutions Group, Inc. (3989); (x) Broadview Networks, Inc. (1082); (xi) Broadview Networks of Massachusetts, Inc. (8054); (xii) Broadview Networks of Virginia, Inc. (6404); (xiii) Broadview NP Acquisition Corp. (2734); (xiv) BV-BC Acquisition Corporation (7846); (xv) CoreComm-ATX, Inc. (0529); (xvi) CoreComm Communications, LLC (2077); (xvii) Digicom, Inc. (0777); (xviii) Eureka Broadband Corporation (6004); (xix) Eureka Holdings, LLC (1318); (xx) Eureka Networks, LLC (1244); (xxi) Eureka Telecom, Inc. (3720); (xxii) Eureka Telecom of VA, Inc. (5508); (xxiii) InfoHighway Communications Corporation (0551); (xxiv) Info-Highway International, Inc. (8543); (xxv) InfoHighway of Virginia, Inc. (1600); (xxvi) nex-i.com, inc. (7035); (xxvii) Open Support Systems LLC (9972); and (xxviii) TruCom Corporation (0714). The Debtors' executive headquarters' address is 800 Westchester Avenue, Rye Brook, NY 10573.

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of Existing Bank Accounts; (C) Waiver of Certain Operating Guidelines Relating to Bank Accounts; and (D) Continuation of Intercompany Transactions and Accordance of Administrative Expense Status to Intercompany Claims [Docket No. 38];

- Interim Order Authorizing the Payment of Certain Prepetition General Unsecured Claims in the Ordinary Course of Business [Docket No. 39];
- Interim Order (A) Authorizing Debtors to Pay Certain Prepetition Obligations Owed to Independent Sales Agents and (B) Granting Related Relief [Docket No. 40].
- Interim Order Authorizing Debtors to Honor Certain Prepetition Obligations to Customers and to Continue Customer Programs [Docket No. 42];
- Interim Order Authorizing Payment of Sales, Use and Other Taxes and Regulatory Fees [Docket No. 43];
- Interim Order (A) Requiring Certain Entities to Provide Information Pursuant to Bankruptcy Rule 2004, (B) Restricting the Purchase or Sale of Certain Claims Against, and Equity Interests In, the Debtors, and (C) Establishing Notification and Hearing Procedures for Relief from the Restrictions on the Purchase or Sale of Certain Claims Against, and Equity Interests In, the Debtors [Docket No. 44];
- Interim Order: (I) Authorizing Debtors to Obtain Postpetition Financing; (II) Authorizing Debtors to Use Cash Collateral; (III) Granting Adequate Protection to Prepetition Secured Lenders; and (IV) Scheduling a Final Hearing Pursuant to Bankruptcy Rules 2002, 4001 and 9014 [Docket No. 45]; and
- Interim Order: (I) Authorizing Debtors to Pay (A) Prepetition Employee Wages, Salaries and Other Compensation, (B) Prepetition Employee Business Expenses, and (C) Other Miscellaneous Employee Expenses and Employee Benefits; and (II) Granting Related Relief [Docket No. 46].

**PLEASE TAKE FURTHER NOTICE** that, on the Petition Date or thereafter, the Debtors also filed the following motions (the “**Second Day Motions**”):


- Debtors’ Motion for Order: (I) Prohibiting Utility Companies and Carriers from Altering or Discontinuing Services; (II) Providing Utility Companies and Carriers with Adequate Assurance of Payment; and (III) Establishing Procedures for Resolving Requests for Additional Assurance of Payment [Docket No. 16];
- Debtors’ Motion for Order Establishing Certain Notice, Case

Management, and Administrative Procedures and Omnibus Hearing Dates [Docket No. 4];

- Debtors' Motion for Order Pursuant to Sections 105(a) and 363(b) of the Bankruptcy Code and Bankruptcy Rule 9019(b) Authorizing the Establishment of Procedures to Settle Certain Prepetition and Postpetition Claims [Docket No. 59]
- Application of the Debtors Pursuant to 11 U.S.C. § 327(a) and Fed. R. Bankr. P. 2014 for Authorization to Employ and Retain Kurtzman Carson Consultants LLC as Administrative Agent *Nunc Pro Tunc* to the Petition Date [Docket No. 19];
- Debtors' Application to Employ and Retain Willkie Farr & Gallagher LLP as Counsel to Debtors and Debtors in Possession Pursuant to Sections 327(a), 328 and 1107(b) of Bankruptcy Code [Docket No. 20];
- Debtors' Application to Employ and Retain Bingham McCutchen LLP as Special Regulatory Counsel to Debtors *Nunc Pro Tunc* to the Petition Date Pursuant To Sections 327(e), 328 And 1107(b) of the Bankruptcy Code [Docket No. 60];
- Debtors' Application to Employ and Retain Evercore Group L.L.C. as Investment Banker and Financial Advisor to the Debtors Pursuant to Sections 327(a), 328, 331 and 1107(b) of the Bankruptcy Code *Nunc Pro Tunc* to the Petition Date [Docket No. 17]; and
- Debtors' Application to Employ and Retain Ernst & Young LLP as Independent Auditor to the Debtors *Nunc Pro Tunc* to the Petition Date [Docket No. 61].

**PLEASE TAKE FURTHER NOTICE** that a hearing (the "**Hearing**") to consider entry of (i) orders granting the relief provided in the Interim First Day Orders on a final basis (such orders, the "**Final First Day Orders**"), and (ii) orders granting the Second Day Motions (such orders, the "**Second Day Orders**") has been scheduled for **September 14, 2012 at 10:00 a.m. (EDT)** before the Honorable Shelley C. Chapman, United States Bankruptcy Judge, Room 621, United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton United States Custom House, One Bowling Green, New York, New York 10004.

**PLEASE TAKE FURTHER NOTICE** that responses or objections, if any, to entry of the Final First Day Orders and/or the Second Day Orders must be made in writing, state with particularity the grounds therefor, conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules for the Southern District of New York, be filed electronically in text searchable portable document format (PDF) with the Court in accordance with General Order M-399 (General Order M-399 can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov), the official website for the Court), by registered users of the Court's case filing system and by all other



parties in interest (with a hard-copy delivered directly to the Judge's Chambers), and be served in accordance with General Order M-399, and upon (i) the Debtors' counsel, Willkie Farr & Gallagher LLP, 787 Seventh Avenue, New York, NY 10019 (Attn: Rachel C. Strickland, Esq. and Jennifer J. Hardy, Esq.), (ii) the Office of the United States Trustee, 33 Whitehall Street, 21st Floor, New York, NY 10004 (Attn: Michael Driscoll, Esq. and Richard Morrissey, Esq.), (iii) counsel to the administrative agent under the Debtors' prepetition and postpetition revolving credit agreements, Stradley Ronon Stevens & Young LLP, 2005 Market Street, Suite 2600, Philadelphia, PA 19103 (Attn: Gary Scharnett, Esq. and Paul Patterson, Esq.); and (iv) counsel to the ad hoc group of senior secured noteholders, Dechert LLP, 1095 Avenue of the Americas, New York, NY 10036 (Attn: Michael Sage, Esq. and Michael Brown, Esq.), **so as to be actually received on or before 5:00 p.m. (prevailing Eastern Time) on September 7, 2012.**

**PLEASE TAKE FURTHER NOTICE** that if you wish to be heard with respect to any of the foregoing matters, you must attend the Hearing. The Hearing may be adjourned from time to time in open court.

**PLEASE TAKE FURTHER NOTICE** that if you would like to receive copies of any documents filed in these cases, (a) you may access such documents online from either the Bankruptcy Court's electronic case filing system located at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov) or the website of the Debtors' claims agent at [www.kccllc.net/Broadview](http://www.kccllc.net/Broadview), or (b) you may contact Jack M. Tracy II, Esq., at Willkie Farr & Gallagher LLP, 787 Seventh Avenue, New York, New York 10019, by telephone at (212) 728-8000.

Dated: New York, New York  
August 31, 2012

**WILLKIE FARR & GALLAGHER LLP**  
Proposed Attorneys for the Debtors and  
Debtors in Possession

By: /s/ Rachel C. Strickland

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