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FPSC - COMMISSION CLERK

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

IN RE:	§	
UPH HOLDINGS, INC.	§	CASE NO. 13-10570
PAC-WEST TELECOMM, INC.	§	CASE NO. 13-10571
TEX-LINK COMMUNICATIONS, INC.	§	CASE NO. 13-10572
UNIPOINT HOLDINGS, INC.	§	CASE NO. 13-10573
UNIPOINT ENHANCED SERVICES, INC.	§	CASE NO. 13-10574
UNIPOINT SERVICES, INC.	§	CASE NO. 13-10575
NWIRE, LLC	§	CASE NO. 13-10576
PEERING PARTNERS COMMUNICATIONS, LLC	§	CASE NO. 13-10577
	§	
DEBTORS.	§	CHAPTER 11
	§	
EIN: 45-1144038; 68-0383568; 74-2729541; 20-3399903; 74-3023729; 38-3659257; 37-1441383; 27-2200110; 27-4254637	§	
	§	
6500 RIVER PL. BLVD., BLDG. 2, # 200 AUSTIN, TEXAS 78730	§	JOINTLY ADMINISTERED UNDER CASE NO. 13-10570-TMD

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**AGREED MOTION FOR CONTINUANCE OF HEARING ON NOTICE OF CURE AMOUNT SET FOR THURSDAY, AUGUST 29, 2013**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE TONY M. DAVIS:

COMES NOW UPH Holdings, Inc., ("UPH"), Pac-West Telecomm, Inc., ("Pac-West"),

COM \_\_\_\_\_  
AFD \_\_\_\_\_  
APA \_\_\_\_\_  
ECO \_\_\_\_\_  
ENG \_\_\_\_\_  
GCL \_\_\_\_\_  
IDM \_\_\_\_\_  
TEL \_\_\_\_\_  
CLK NA

\_\_\_\_\_ Tex-Link Communications, Inc. ("Tex-Link") UniPoint Holdings, Inc. ("UniPoint Holdings"),  
\_\_\_\_\_ UniPoint Enhanced Services, Inc. ("UniPoint Enhanced Services"), UniPoint Services, Inc.,  
\_\_\_\_\_ ("UniPoint Services"), nWire, LLC ("nWire"), and Peering Partners Communications, LLC  
\_\_\_\_\_ ("Peering Partners") (collectively the "Debtors"), the Debtors-In-Possession in this case, and  
\_\_\_\_\_ pursuant to Fed. R. Bankr. Pro. 9006(b)(1), files their Agreed Motion for Continuance of the

Hearing on the Notice of Cure Amounts Set for August 29, 2013 (the "Motion"). In support of this Motion, the Debtors state as follows:

## **I. BACKGROUND**

1. On March 25, 2013 ("Petition Date"), the Debtors filed their voluntary petitions for relief under Chapter 11 of the United States Bankruptcy Code, 11 U.S.C. § 101, et. seq. (as amended, the "Bankruptcy Code"). The Debtors continue to operate as debtors-in-possession pursuant to §§ 1107(a) and 1108 of the Bankruptcy Code.

2. On April 15, 2013, the Committee of Unsecured Creditors ("Committee") [Dckt. No. 91] was appointed.

3. The Debtors are a group of affiliated entities that provide telecommunication services in a variety of contexts including voice over Internet protocol ("VoIP"), local exchange and enhanced telecommunications, and data services.

4. On or about July 10, 2013, the Debtors conducted an auction ("Auction") of its property, auctioning substantially all of the Debtors' assets, free and clear of all claims, liens, and encumbrances.

5. At the Auction, TNCI Operating Company LLC ("Buyer") was the winning bidder.

6. Currently set on the Court's docket is the Notice of Cure Amounts, which is set for Thursday, August 29, 2013. The Debtors hereby request that the hearing be continued for at least thirty (30) days in order for the Buyer and the remaining assumed contract counterparties to continue negotiations regarding the cure amounts. The Debtors have consulted with the Buyer and the relevant counterparties (Transaction Network Services and Level 3 Communications) who do not contest this continuance.

WHEREFORE, PREMISES CONSIDERED, the Debtors respectfully request that the Court enter an order granting the relief requested herein and granting such other and further relief to which the Debtors are justly entitled.

Dated: August 27, 2013.

Respectfully submitted,

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**COUNSEL FOR DEBTORS-IN-  
POSSESSION**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 27th day of August 2013, a true and correct copy of the foregoing was served via the Court's CM/ECF electronic notification system on all parties requesting same, and via US first class mail, post prepaid to the parties listed below, and on the attached service list.

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Tex-Link Communications, Inc.  
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