

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: November 2, 2011
TO: Ann Cole, Commission Clerk -- PSC, Office of Commission Clerk
FROM: Toni J. Earnhart, Regulatory Analyst II, Division of Regulatory Analysis
RE: Open Range Communications Inc. Bankruptcy Notice

A handwritten signature in black ink, appearing to be "Toni J. Earnhart".

Please add the attached faxed correspondence in the undocketed filings. This company is not certificated with the FLPSC.

Please call 413-6532, if you have any questions.

Attachment

RECEIVED-FPSC
11 NOV - 2 PM 3:16
COMMISSION
CLERK

DOCUMENT NUMBER-DATE

08087 NOV-2 =

FPSC-COMMISSION CLERK

Toni Earnhart

From: Bob Casey
Sent: Tuesday, November 01, 2011 3:33 PM
To: Toni Earnhart
Subject: FW: FW: FW: FW: FAX 1013, 5 page(s)
Attachments: FAX.TIF

-----Original Message-----

From: Dorothy Menasco
Sent: Tuesday, November 01, 2011 3:25:40 PM
To: Beth Salak
Subject: FW: FW: FW: FAX 1013, 5 page(s)

Hi Beth,

In order for the attached fax to be filed with CLK, you will need to print it and forward it to CLK with a memo instructing the Clerk to place it in the docket file. Give me a call if you have any questions. 3-6243

Dorothy

-----Original Message-----

From: Hong Wang
Sent: Tuesday, November 01, 2011 9:41:54 AM
To: Dorothy Menasco
Subject: FW: FW: FAX 1013, 5 page(s)

Dorothy, please handle. Thanks!

-----Original Message-----

From: Carol Purvis
Sent: Monday, October 31, 2011 5:46:22 PM
To: Hong Wang
Subject: FW: FW: FAX 1013, 5 page(s)

Please handle

From: Beth Salak
Sent: Monday, October 31, 2011 1:34 PM
To: Ann Cole
Cc: Bob Casey; Adam Teitzman
Subject: FW: FW: FAX 1013, 5 page(s)

Ann, I think this should be filed in the undocketed file.

11/1/2011

DOCUMENT NUMBER-DATE
08087 NOV-2=
FPSC-COMMISSION CLERK

-----Original Message-----

From: Apryl Lynn
Sent: Monday, October 31, 2011 1:17:58 PM
To: Beth Salak; Ann Cole
Subject: FW: FAX 1013, 5 page(s)

This was sent to us (possibly in error). I spoke with the Logan & Company. The representative said this was sent to anyone that may have done business with Open Communications Inc to notice that Open Communications is filing bankruptcy.

This may be irrelevant to you as well...

-----Original Message-----

From: Fax Server [FaxAdmins@psc.state.fl.us]
Sent: Friday, October 28, 2011 5:00:14 PM
To: Apryl Lynn
Subject: FAX 1013, 5 page(s)

You have received a new fax. This fax was received by Fax Server. The fax is attached to the message. Open the attachment to view your fax.

Received Fax Details

Received On: 10/28/2011 4:56:46 PM
Number of Pages: 5
From (CSID): FAX
From (ANI): 1013
Sent to DID: 6727

Duration of Fax: 0:03:13
Transfer Speed: 12000

Received Status: Success
Number of Errors: 0
Port Received On: IPF_PORT_0012

Logan & COMPANY, INC.

546 VALLEY ROAD
UPPER MONTCLAIR, NJ 07043
PHONE: 973.509.3190 • FAX: 973.509.3191

Date: October 28, 2011

Creditor ID: ORC-3427-BD-23

To: FLORIDA PUBLIC SERVICE COMMISSION
ANNE KESAL
DIVISION OF ADMINISTRATION

Fax No.: 18504136727

From: Logan & Company, Inc., Noticing Agent for the Debtor

Number of Pages: 5 (including cover)

Re: **Debtor: Open Range Communications Inc., - Case No. 11-13188 (KJC)**

Attached please find for your reference, the following documents entered today on the court's docket:

Order (WITH REVISIONS MADE BY THE COURT) Granting Motion to Shorten Notice and Objection Periods to Debtor's Motion for Orders: (I)(A) Approving Bidding and Auction Procedures in Connection with Sale of Any and All of the Debtor's Assets; (B) Approving Purchaser Protections, (C) Scheduling an Auction and Expedited Hearing to Consider Sale of Any and All Debtor's Assets; and (D) Approving Form and Manner of Notice Thereof; and (II)(A) Authorizing and Approving Sale of Any and All Debtor's Assets Free and Clear of Liens, Claims, Encumbrances, and Interests; and (B) Granting Related Relief [D.I. 150]; and

Notice of Hearing on Debtor's Motion for Orders: (I)(A) Approving Bidding and Auction Procedures in Connection with Sale of Any and All of the Debtor's Assets; (B) Approving Purchaser Protections, (C) Scheduling an Auction and Expedited Hearing to Consider Sale of Any and All Debtor's Assets; and (D) Approving Form and Manner of Notice Thereof; and (II)(A) Authorizing and Approving Sale of Any and All Debtor's Assets Free and Clear of Liens, Claims, Encumbrances, and Interests; and (B) Granting Related Relief [D.I. 151]

CONFIDENTIALITY NOTE: THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS NOTICE IS NOT THE INTENDED RECIPIENT, EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE SENDER BY TELEPHONE AND RETURN THESE PAPERS TO US AT THE ABOVE ADDRESS VIA FIRST CLASS MAIL.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
OPEN RANGE COMMUNICATIONS INC.,	Case No. 11-13188 (KJC)
Debtor. ¹	Related Docket No. <u>146</u>

**ORDER GRANTING MOTION TO SHORTEN NOTICE AND OBJECTION PERIODS
TO DEBTOR'S MOTION FOR ORDERS: (I)(A) APPROVING BIDDING AND
AUCTION PROCEDURES IN CONNECTION WITH SALE OF ANY AND ALL
OF DEBTOR'S ASSETS; (B) APPROVING PURCHASER PROTECTIONS, (C)
SCHEDULING AN AUCTION AND EXPEDITED HEARING TO CONSIDER
SALE OF ANY AND ALL OF DEBTOR'S ASSETS; AND (D) APPROVING
FORM AND MANNER OF NOTICE THEREOF; AND (II)(A) AUTHORIZING
AND APPROVING SALE OF ANY AND ALL DEBTOR'S ASSETS FREE AND
CLEAR OF LIENS, CLAIMS, ENCUMBRANCES, AND INTERESTS;
AND (B) GRANTING RELATED RELIEF**

Upon the motion (the "Motion to Shorten") of the above captioned debtor and debtor-in-possession (the "Debtor"), for entry of an order, pursuant to section 105(a) of the Bankruptcy Code, Bankruptcy Rules 2002 and 9006(c)(1) of the Federal Rules of Bankruptcy Procedure, and Local Rule 9006-1(e), shortening the notice and objection period with respect to the Debtor's Motion for Orders: (I)(A) Approving Bidding and Auction Procedures In Connection With Sale of Any and All of Debtor's Assets; (B) Approving Purchaser Protections, (C) Scheduling an Auction and Expedited Hearing to Consider Sale of Any and All Of Debtor's Assets; and (D) Approving Form and Manner of Notice Thereof; and (II)(A) Authorizing and Approving Sale of Any and All Debtor's Assets Free and Clear of Liens, Claims, Encumbrances, and Interests; and (B) Granting Related Relief (the "Motion"),² and upon consideration of the Motion to Shorten

¹ The last four digits of the Debtor's federal tax identification number are 0894.

² Capitalized terms not defined herein shall have the meanings ascribed to them in the Motion.

and all pleadings related thereto, and the Court finding that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2), and (c) notice of the Motion to Shorten was due and proper under the circumstances; and after due deliberation, and good and sufficient cause appearing therefore;

IT IS HEREBY ORDERED THAT:

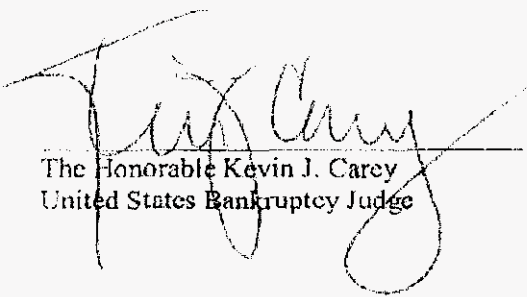
- 1. The Motion to Shorten is GRANTED, as set forth herein.
- 2. The Motion is hereby scheduled to be heard on **November 2, 2011 at 3:00 p.m.**

(ET).

3. Objections, if any, to the Motion, *may be precluded at the time of hearing.* must be filed and served on Debtor's counsel by ~~November 2, 2011 at 3:00 p.m. (ET)~~ *if hearing.*

4. The Court shall retain jurisdiction with respect to all matters relating to the interpretation or implementation of this Order.

Dated: October 28, 2011
Wilmington, Delaware


 The Honorable Kevin J. Carey
 United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	:	Chapter 11
	:	
OPEN RANGE COMMUNICATIONS INC.,	:	Case No. 11-13188 (KJC)
	:	Related to Docket Nos. 146, 147 and 150
Debtor. ¹	:	Hearing Date: November 2, 2011 at 3:00 p.m. (ET)
	:	Objection Deadline: November 2, 2011 at 3:00 p.m. (ET)

NOTICE OF HEARING ON DEBTOR'S MOTION FOR ORDERS: (I)(A) APPROVING BIDDING AND AUCTION PROCEDURES IN CONNECTION WITH SALE OF ANY AND ALL OF THE DEBTOR'S ASSETS; (B) APPROVING PURCHASER PROTECTIONS, (C) SCHEDULING AN AUCTION AND EXPEDITED HEARING TO CONSIDER SALE OF ANY AND ALL DEBTOR'S ASSETS; AND (D) APPROVING FORM AND MANNER OF NOTICE THEREOF; AND (II)(A) AUTHORIZING AND APPROVING SALE OF ANY AND ALL DEBTOR'S ASSETS FREE AND CLEAR OF LIENS, CLAIMS, ENCUMBRANCES, AND INTERESTS; AND (B) GRANTING RELATED RELIEF

PLEASE TAKE NOTICE that, on October 27, 2011, the above captioned debtor and debtor in possession (the "Debtor") filed the Debtor's Motion for Orders: (I)(A) Approving Bidding and Auction Procedures in Connection with Sale of Any and All of the Debtor's Assets; (B) Approving Purchaser Protections, (C) Scheduling an Auction and Expedited Hearing to Consider Sale of Any and All Debtor's Assets; and (D) Approving Form and Manner of Notice Thereof; and (II)(A) Authorizing and Approving Sale of Any and All Debtor's Assets Free and Clear of Liens, Claims, Encumbrances, and Interests; and (B) Granting Related Relief (the "Motion") [Docket No. 146].

PLEASE TAKE FURTHER NOTICE that, on October 27, 2011, the Debtor also filed the Motion to Shorten Notice and Objection Periods to Debtor's Motion for Orders: (I)(A) Approving Bidding and Auction Procedures in Connection with Sale of Any and All of the Debtor's Assets; (B) Approving Purchaser Protections, (C) Scheduling an Auction and Expedited Hearing to Consider Sale of Any and All Debtor's Assets; and (D) Approving Form and Manner of Notice Thereof; and (II)(A) Authorizing and Approving Sale of Any and All Debtor's Assets Free and Clear of Liens, Claims, Encumbrances, and Interests; and (B) Granting Related Relief [Docket No. 147].

PLEASE TAKE FURTHER NOTICE that, on October 28, 2011, the Court entered an Order Granting Motion to Shorten Notice and Objection Periods to Debtor's Motion for Orders: (I)(A) Approving Bidding and Auction Procedures in Connection with Sale of Any and All of the Debtor's Assets; (B) Approving Purchaser Protections, (C) Scheduling an Auction and Expedited Hearing to Consider Sale of Any and All Debtor's Assets; and (D) Approving Form and Manner of

¹ The last four digits of the Debtor's federal tax identification number are 0894.

Notice Thereof; and (II)(A) Authorizing and Approving Sale of Any and All Debtor's Assets Free and Clear of Liens, Claims, Encumbrances, and Interests; and (B) Granting Related Relief (the "Order") [Docket No. 150]. Pursuant to the Order responses or objections to the Motion may be presented at the time of hearing.

PLEASE TAKE FURTHER NOTICE that, a hearing on the Motion will be held on **November 2, 2011 at 3:00 p.m. (ET)** before the Honorable Kevin J. Carey, United States Bankruptcy Judge, United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 5th Floor, Courtroom No. 5, Wilmington, Delaware 19801.

PLEASE TAKE FURTHER NOTICE that, if you fail to respond in accordance with this Notice, the Court may grant the relief requested by the Motion without further notice or hearing.

Date: October 28, 2011

**COLE, SCHOTZ, MEISEL,
FORMAN & LEONARD, P.A.**

By:



Norman L. Pernick (No. 2290)
Marion M. Quirk (No. 4136)
Sanjay Bhatnagar (No. 4829)
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Proposed Counsel for the Debtor and
Debtor in Possession