FORM B10 (Official Form 10) (4/01)

UNITED STATES BANKRUPTCY COURT Wilmington DISTRICT OF Delaware

PROOF OF CLAIM

Name of Debtor: Chi-Chi's Inc

Case Number: 03-13063

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.

Name of Creditor (The person or other entity to whom the debtor owes money or property)
BAY STATE GAS COMPANY

☐ 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

Name and address where notices should be sent
BAY STATE GAS COMPANY
PO BOX 2025
SPRINGFIELD MA 01102

Telephone number 413-781-9200 ext 2921 or 2918

☐ 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

REC'D DEC 12 2003

THIS SPACE IS FOR COURT USE ONLY

Account or other number by which creditor identifies debtor
199242000 9

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 _____

☐ Retiree benefits as defined in 11 U S C § 1114(a)
☐ Wages, salaries, and compensation (fill out below)
Your SS # _____ _____ _____
Unpaid compensation for services performed
from _____ (date) to _____ (date)

2 Date debt was incurred 10/8/03

3 If court judgment, date obtained N/a

4 Total Amount of Claim at Time Case Filed $ 3165.24

If all or part of your claim is secured or entitled to priority also complete Item 5 or 6 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 $_____

6 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 $4 650) * earned within 90 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 $2 100* 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)(____)

Amounts are subject to adjustment on 4/1/04 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment

7 Credits The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim

8 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

9 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

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Date 11/28/03

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)
Steve DeCarlis, manager

Chi Chi s Inc
00022

Penalty for presenting fraudulent claim Fine of up to $500 000 or imprisonment for up to 5 years or both 18 U

Customer Account - 199242000-9 - CHI-CHI'S INC #348 DIP

Acct. Bal = 365 24, Status is FINAL W/BAL

Payment History

Month/ Year	Late/ ( )Early	Phone Call	Failed Agrmt	SONP
Oct 03	DUE		0	0
Sep 03	14		0	0
Aug 03	0		0	0
Jul 03	12		0	0
Jun 03	14		0	0
May 03	11		0	0
Apr 03	12		0	0
Mar 03	14		0	0
Feb 03	6		0	0
Jan 03	13		0	0
Dec 02	10		0	0
Nov 02	8		0	0
Oct 02	12		0	0
Sep 02	12		0	0
Aug 02	10		0	0
Jul 02	14		0	0
Jun 02	10		0	0

Current billing and adjustment activity