

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:	)	Chapter 11
	)	
RCN CORPORATION, <u>et al.</u> ,	)	Case No. 04-13638
	)	
Debtors.	)	(Jointly Administered)
	)	

**NOTICE OF APPEARANCE AND  
DEMAND FOR SERVICE OF PAPERS**

PLEASE TAKE NOTICE that the undersigned appears in the above-captioned cases on behalf of HSBC Bank USA (“HSBC”), as Agent and Collateral Agent, under that certain Commercial Term Loan and Credit Agreement, dated as of June 6, 2003, among RCN Corporation, the Lenders party thereto, and HSBC. HSBC, as Agent and Collateral Agent, pursuant to Federal Rules of Bankruptcy Procedure 2002 and 9010(b) and section 1109(b) of title 11 of the United States Code, 11 U.S.C. §§101, *et seq.* (the “Bankruptcy Code”), demands that all notices given or required to be given and all papers served in these cases be delivered to and served upon the parties identified below at the following address:

Mark R. Somerstein, Esq.  
Anne H. Pak, Esq.  
Kelley Drye & Warren LLP  
101 Park Avenue  
New York, New York 10178  
Tel: (212) 808-7800  
Fax: (212) 808-7897  
E-mail: [msomerstein@kelleydrye.com](mailto:msomerstein@kelleydrye.com)  
[apak@kelleydrye.com](mailto:apak@kelleydrye.com)

PLEASE TAKE FURTHER NOTICE that, pursuant to section 1109(b) of the Bankruptcy Code, the foregoing demand includes not only the notices and papers referred to in

the above-mentioned Bankruptcy Rules, but also includes, without limitation, all orders, applications, motions, petitions, pleadings, requests, complaints or demands, whether formal or informal, written or oral, transmitted or conveyed by mail delivery, telephone, facsimile or otherwise, in these cases.

PLEASE TAKE FURTHER NOTICE that the foregoing simply constitutes a demand and request for service and does not constitute a consent to the jurisdiction of the Bankruptcy Court or a waiver of the right to a jury trial.

Dated: June 7, 2004

KELLEY DRYE & WARREN LLP

By: /s/ Mark R. Somerstein  
Mark R. Somerstein (MS-9721)  
Anne H. Pak (AP-3641)  
101 Park Avenue  
New York, New York 10178  
Tel: (212) 808-7800

ATTORNEYS FOR HSBC BANK  
USA, AS AGENT AND COLLATERAL  
AGENT