

# MILBANK, TWEED, HADLEY & McCLOY LLP

1 CHASE MANHATTAN PLAZA

LOS ANGELES  
213-892-4000  
FAX: 213-629-5063

NEW YORK, N.Y. 10005-1413

212-530-5000

FAX: 212-530-5219

TOKYO  
813-3504-1050  
FAX: 813-3595-2790

WASHINGTON, D.C.  
202-835-7500  
FAX: 202-835-7586

HONG KONG  
852-2971-4888  
FAX: 852-2840-0792

LONDON  
44-171-448-3000  
FAX: 44-171-448-3029

SINGAPORE  
65-428-2400  
FAX: 65-428-2500

MOSCOW  
7-501-258-5015  
FAX: 7-501-258-5014

E-MAIL: lmandel@milbank.com

April 8, 2005

## BY ELECTRONIC MAIL AND HAND DELIVERY

The Honorable Robert D. Drain  
United States Bankruptcy Court  
Southern District of New York  
Alexander Hamilton Customs House  
One Bowling Green  
New York, New York 10004-1408

Re: In re RCN Corporation, et al., Case No. 04-13638 (RDD)

Dear Judge Drain:

Set forth below is an agenda for the matters scheduled for the hearing on April 12, 2005 at 10:00 a.m. The information contained in this agenda reflects documents received in our offices as of this morning and information contained on the Court's docket last reviewed this morning.

### A. CONTINUED MATTERS

1. NOTICE OF HEARING RELATING TO CLAIM NUMBER 1096 FILED BY OLD DOMINION FREIGHT LINE, INC. AND OBJECTED TO IN DEBTORS' SECOND OMNIBUS OBJECTION PURSUANT TO 11 U.S.C. §§ 502(b) AND 510(b) AND FED. (Dkt. No. 527)

*Status:* This matter has been continued by consent of the parties to the hearing on May 24, 2005 at 10:00 a.m.

2. REORGANIZED DEBTORS' SIXTH OMNIBUS OBJECTION TO CLAIMS WITH RESPECT TO CLAIM NOS. 2079, 2052, 2086, AND 2081 (Dkt. No. 530)

*Status:* This matter has been continued by consent of the parties to the hearing on May 24, 2005 at 10:00 a.m.

**B. CONTESTED MATTERS**

3. APPLICATION BY AP SERVICES, LLC FOR APPROVAL AND PAYMENT OF THE CONTINGENT SUCCESS FEE (Dkt. No. 543)

*Objections:* OBJECTION OF OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO APPLICATION BY AP SERVICES, LLC FOR APPROVAL AND PAYMENT OF CONTINGENT SUCCESS FEE (Dkt. No. 567)

*Reply:* REPLY OF SUCCESS FEE APPLICANT TO OBJECTION OF UNSECURED CREDITORS' COMMITTEE (Dkt. No. 589)

*Status:* This matter will be proceeding.

Respectfully submitted,

/s/ Lena Mandel  
Lena Mandel, Esq.  
**Milbank, Tweed, Hadley & McCloy LLP**  
One Chase Manhattan Plaza  
New York, New York 10005-1413  
(212) 530-5000

Counsel for Reorganized RCN

cc (by electronic mail):

The Honorable Robert D. Drain  
April 8, 2005  
Page 3

Sheldon S. Toll, Esq.  
Counsel for AP Services, LLC

John M. Daley, Esq.  
Counsel for Old Dominion Freight Line Inc.

Business Bankruptcy Unit  
Chicago Department of Revenue

ReGen Capital I, Inc.

cc (by Federal Express mail):

Peter C. Harvey  
Attorney General of New Jersey

cc (by hand delivery):

Paul K. Schwartzberg, Esq.  
Office of the United States Trustee