

November 21, 2005

The Honorable Harlin D. Hale  
Judge, United States Bankruptcy Court  
1100 Commerce Street  
Dallas, Texas 75242

Re: ***In re VarTec Telecom, Inc., et al.***; Case No. 04-81694-HDH-11  
Agenda Letter for Hearing Scheduled for November 22, 2005 at 1:30 p.m.

Dear Judge Hale:

The purpose of this correspondence is to advise you of the status and proposed disposition of the following matters set for hearing on the Court's docket for November 22, 2005 at 1:30 p.m.:

## **UNCONTESTED MATTERS**

1. Motion to Authorize Rejection of Certain Circuit Agreements with SBC Telephone Companies filed by the Debtors [Docket No. 1902]

**OBJECTION DEADLINE:** November 17, 2005

**STATUS:** By agreement, the Debtors and the SBC Telephone Companies request a continuance of the hearing on this motion to December 13, 2005 at 1:30 p.m. and a continuance of the deadline for the SBC Telephone Companies to file an objection to December 9, 2005.

2. Second Motion to Authorize Rejection of Certain Circuit Agreements with SBC Telephone Companies filed by the Debtors [Docket No. 1904]

**OBJECTION DEADLINE:** November 17, 2005

**STATUS:** No objections have been filed, and the Debtors and the SBC Telephone Companies intend to present an Agreed Order granting this motion.

3. Third Motion to Authorize Rejection of Certain Circuit Agreements with SBC Telephone Companies filed by the Debtors [Docket No. 1930]

**OBJECTION DEADLINE:** November 17, 2005

**STATUS:** No objections have been filed, and the Debtors and the SBC Telephone Companies intend to present an Agreed Order granting this motion.

4. Debtors' Fourth Motion to Authorize Rejection of Certain Circuit Agreements with SBC Telephone Companies filed by the Debtors [Docket No. 2023]

**OBJECTION DEADLINE:** November 17, 2005

**STATUS:** No objections have been filed, and the Debtors and the SBC Telephone Companies intend to present an Agreed Order granting this motion.

5. Motion to Authorize Assumption of Nondisclosure Agreement between the Debtors and SBC Telecommunications, Inc. and Its Affiliates (and Brief in Support) filed by the Debtors [Docket No. 2052]

**OBJECTION DEADLINE:** N/A (Expedited Hearing)

**STATUS:** No objections have been filed, and the Debtors intend to present an Order granting this motion.

6. Motion to Authorize Rejection of Master Service Agreement between VarTec Telecom, Inc. and Unipoint Holdings, Inc. (and Brief in Support) filed by the Debtors [Docket No. 1915]

**OBJECTION DEADLINE:** October 21, 2005

**STATUS:** No objections have been filed, and the Debtors intend to present an Order granting this motion.

7. Motion to Approve Assumption of Executory Contracts and Brief in Support (Edify Corporation) filed by the Debtors [Docket No. 1920]

**OBJECTION DEADLINE:** October 24, 2005

**STATUS:** This matter was continued from a previous hearing to enable the parties to agree on the form of order. The parties have done so, and the Debtors intend to present an Order granting this motion.

8. Motion to Authorize Rejection of Nonresidential Real Property Lease and Brief in Support (Switch Site in Atlanta, Georgia) filed by the Debtors [Docket No. 2015]

**OBJECTION DEADLINE:** November 14, 2005

**STATUS:** No objections have been filed, and the Debtors intend to present an Order granting this motion.

9. Motion to Approve Compromise and Settlement with Republic Title of Texas, Inc. and Regional Management Co., Inc. filed by the Debtors [Docket No. 2020]

**OBJECTION DEADLINE:** November 16, 2005

**STATUS:** No objections have been filed, and the Debtors intend to present an Order granting this motion.

10. Motion to Approve Stipulation and Order regarding Executory Contract with McLeod USA Telecommunications Services, Inc. filed by the Debtors [Docket No. 2025]

**OBJECTION DEADLINE:** November 17, 2005

**STATUS:** No objections have been filed, and the Debtors, with the support of McLeod USA Telecommunications Services, Inc. intend to present an Order granting this motion.

11. Motion to Approve Settlement of Claims of Independent Representatives and Procedures Relating Thereto filed by the Debtors [Docket No. 2070]

**OBJECTION DEADLINE:** N/A (Expedited Hearing Requested)

**STATUS:** No objections have been filed, and the Debtors intend to go forward with the Procedures Hearing (as defined in the Motion) at which they will request approval of certain procedures and forms of notices related to the proposed settlement.

**CONTESTED MATTERS**

12. Motion of the Official Committee of Excel Independent Representatives to Extend Sunset Provision on IR Committee Appointment for Additional 90 Days [Docket No. 1780]

Objection filed by the Official Committee of Unsecured Creditors [Docket No. 1837]

Order on Motion of the Official Committee of Excel Independent Representatives to Extend Sunset Provision on IR Committee Appointment [Docket No. 1958]

Order on Motion of the Official Committee of Excel Independent Representatives to Extend Sunset Provision on IR Committee Appointment [Docket No. 2010]

**OBJECTION DEADLINE:** N/A (Continued from a Previous Hearing)

**STATUS:** The parties intend to present an Order which would extend the IR Committee's sunset until the hearing currently scheduled for December 19, 2005.

13. Amended Second Motion to Authorize and Ratify Rejections of Various Circuit Agreements filed by the Debtors [Docket No. 2032]

Response filed by Broadwing Communications, LLC [Docket No. 2068]

**OBJECTION DEADLINE:** November 3, 2005

**STATUS:** With respect to circuits of MCI Network Services, Inc. and MCI Communications Services, Inc., the Debtors will present a stipulation and order pursuant to which the objection deadline would be extended until December 8, 2005 at 5:00 p.m., and the hearing would be continued to December 13, 2005 at 1:30 p.m. The Debtors have resolved the issues raised in the Response filed by Broadwing Communications, LLC, and the proposed Order will reflect that resolution. With respect to the other circuits, no objections have been filed, and the Debtors intend to present an Order granting this motion.

14. Carrington, Coleman, Sloman & Blumenthal, L.L.P.'s Request for Payment of Disputed Fee pursuant to the Amended Fee Procedures Order [Docket No. 2060]

Notice of Objection of the Rural Telephone Finance Cooperative to Carrington, Coleman, Sloman & Blumenthal, L.L.P.'s Statement for Fees and Expenses Incurred from September 1, 2005 through September 30, 2005 [Docket No. N/A]

**OBJECTION DEADLINE:** N/A (Expedited Hearing Request)

**STATUS:** This matter will be going forward as scheduled.

Sincerely,

*/s/ Daniel C. Stewart*

Daniel C. Stewart

cc: Master Service List

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