

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

IN RE:	§	
	§	
EAGLE BROADBAND, INC.,	§	CASE NO. 07-80605
	§	
ATLANTIC PACIFIC COMMUNICATIONS, INC.	§	CASE NO. 07-80606
CLEARWORKS COMMUNICATIONS, INC.	§	CASE NO. 07-80607
	§	
CLEARWORKS HOME SYSTEMS, INC.	§	CASE NO. 07-80608
	§	
CLEARWORKS.NET INC.	§	CASE NO. 07-80609
	§	
DSS SECURITY D/B/A EAGLE BROADBAND SECURITY	§	CASE NO. 07-80610
	§	
EAGLE BROADBAND SERVICES, INC.	§	CASE NO. 07-80611
	§	
ETOOZ, INC.	§	CASE NO. 07-80612
	§	
LINK-TWO COMMUNICATIONS, INC.	§	CASE NO. 07-80613
	§	
NORTHPOINTE TELECOM SERVICES, LLC	§	CASE NO. 07-80614
	§	
UCGI CORPORATION	§	CASE NO. 07-80615
	§	
UNITED COMPUTING GROUP, INC.	§	CASE NO. 07-80616
	§	
Debtors.	§	CHAPTER 11
	§	
	§	JOINT ADMINISTRATION REQUESTED
	§	

**ORDER GRANTING MOTION FOR ORDER
PURSUANT TO 11 U.S.C. § 366 (A) PROHIBITING UTILITIES FROM ALTERING,
REFUSING OR DISCONTINUING SERVICES AND (B) DETERMINING ADEQUATE
ASSURANCES OF PAYMENT FOR FUTURE SERVICES**

Came on for final consideration the Motion for Order Pursuant to 11 U.S.C. § 366 (A)
Prohibiting Utilities From Altering, Refusing or Discontinuing Services and (B) Determining

Adequate Assurances of Payment For Future Services (the “Motion”). After considering the Motion, and determining that notice given was proper and adequate, and good cause having been shown, the Court is of the opinion that the relief requested in the Motion is proper and should be granted. It is therefore

ORDERED that the Motion is GRANTED. It is further

ORDERED that

1. the Debtors are authorized, but not directed, to pay on a timely basis, in accordance with their pre-petition practices, all undisputed invoices for post-petition utility services provided by the Utilities to the Debtors;

2. any undisputed charge for utility services provided by the Utilities to the Debtors post-petition shall constitute an administrative priority expense under 11 U.S.C. § 503(b)(1)(A) and § 507(a)(1);

3. the one-month cash deposit based on the average amount billed over the last six months (the “Cash Deposit”) as detailed on the attached and incorporated Exhibit “A” shall constitute adequate assurance of payment for future services as required under 11 U.S.C. § 366;

4. the Cash Deposit, when paid to each Utility, shall constitute adequate assurance of payment each of the Utilities is prohibited from altering, refusing, or disconnecting utility service to the Debtors or otherwise discriminating against the Debtors on account of unpaid pre-petition invoices and from requiring the payment of a deposit or other security in connection with the provision of post-petition utility services other than as provided for in this Order, unless otherwise ordered by this Court;

5. the Debtors shall serve a copy of this Order upon each of the Utilities within five (5) business days after the entry thereof;

6. this Order is without prejudice to the rights of any of the Utilities to object to this Order and request in writing within twenty (20) days of the date hereof additional assurances of payment in the form of deposits or other security (the “Additional Assurances Request”);

7. if any of the Utilities makes an Additional Assurances Request that the Debtors believe is unreasonable, the Debtors shall promptly file a motion for determination of adequate assurance with respect to such Utility and promptly set such motion for hearing before this Court (the “Determination Hearing”);

8. each of the Utilities for which a Determination Hearing is scheduled, as described in the immediately preceding paragraph, shall be deemed to have adequate assurance of payment until a further order of this Court is entered in connection with such Determination Hearing, or otherwise, with respect to the Additional Assurance Request made by any of the Utilities; and

9. any Utility that does not make an Additional Assurances Request, as set forth herein, shall be deemed to have assurance of payment under 11 U.S.C. § 366(b) and (c) without further security.

Signed this ____ day of _____ 2007.

HONORABLE LETITIA Z. CLARK
UNITED STATES BANKRUPTCY JUDGE

PROPOSED & SUBMITTED BY:

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