

# US MAR 24AM 8: 17UNITED STATES BANKRUPTCY COURT<br/>NORTHERN DISTRICT OF MISSISSIPPI<br/>Cochran U.S. Bankruptcy Courthouse<br/>703 Highway 145 North<br/>Aberdeen, MS 39730

Aberdeen, MS 39730 Telephone: 662–369–2596

080000-0T

CLF 67bk (Rev. 12/03/03)

In Long Distance Billing Service, Inc. Re: Debtor(s)

> Case No.: 05-11168-DWH Chapter: 7 Judge: David W. Houston III

PLEASE TAKE NOTICE that a hearing will be held at

Cochran U.S. Bankruptcy Courthouse, 703 Highway 145 North, Aberdeen, MS

on 4/22/08 at 10:00 AM

Responses Due: 4/18/08

to consider and act upon the following:

511 – Application for Administrative Expenses (Amended) Filed by John E. Waters on behalf of Iowa Department of Revenue. (Attachments: # (1) Exhibit A) (Entered on Docket by: Waters, John)

Should any party receiving this notice respond or object to said motion such response or objection is required to be filed with the Clerk of this court and served on the Attorney for Movant on or before said response due date. If any objection or response is filed, a hearing will be held on the above mentioned date; otherwise, the Court may consider said motion immediately after the objection or response due date.

A copy of the motion is required to be served pursuant to Rules 9013 and 9014, FRBkP. CMP \_\_\_\_\_\_\_THE MOVING PARTY'S ATTORNEY IS REQUIRED BY THE STANDING ORDER ATTACHED HERETO TO PERFORM NOTICING AS TO SAID MOTION, THE NOTICE OF COM \_\_\_\_\_\_\_HEARING, AND THE OBJECTION DEADLINE, ACCORDING TO THE TERMS OF SAID CTR \_\_\_\_\_\_STANDING ORDER.

ECR \_\_\_\_\_\_ Dated: 3/17/08

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- OPC
- RCA
- SCR
- SGA

SEC .....

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David J. Puddister Clerk, U.S. Bankruptcy Court BY: Janet Hodges

Deputy Clerk

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI

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IN RE:

LONG DISTANCE BILLING SERVICES, INC.,

Bankruptcy No. 05-11168

Chapter 11

Debtor.

### AMENDED APPLICATION FOR PAYMENT OF ADMINISTRATIVE EXPENSES

The Iowa Department of Revenue (Iowa), through its attorneys, files this application for payment of administrative expenses pursuant to 11 U.S.C. § 503(a):

1. The Debtor filed its Chapter 11 bankruptcy petition on February 22, 2005.

2. On August 14, 2007, Iowa filed an Application for Payment of Administrative Expenses (Docket No. 253) requesting payment of post-petition retail use taxes for the period from January 1, 2005, through June 30, 2006, in the amount of \$34,164.79.

3. On December 10, 2006, the Court entered an order (Docket No. 328) granting Iowa an administrative expense claim in the amount of \$34,164.79.

4. On November 8, 2007, the Court entered an order converting this case to Chapter 7 (Docket No. 468).

5. Iowa's administrative claim has been affected by two facts. First, the Debtor has now filed tax returns showing a decreased amount due for the period from January 1, 2005, through June 30, 2006. Second, the Debtor accrued additional tax liabilities for third quarter of 2006, the third quarter of 2007 and the fourth quarter of 2007. With penalty and interest computed through March 10, 2008, the unpaid post-petition retail use taxes now total \$22,758.65.

6. An itemized statement detailing the post-petition liabilities is attached and marked as Exhibit A.

WHEREFORE, Iowa requests that its administrative expense claim be allowed in the

amended amount of \$22,758.65 pursuant to 11 U.S.C. § 503(b)(1)(B).

IOWA DEPARTMENT OF REVENUE

By:

Where Freedow March 11, 2008 /s/ John JØHN WATERS, Iowa Bar No. 5885

Attorney At Law Iowa Department of Revenue Collections Section P.O. Box 10457 Des Moines, Iowa 50306 (515) 281-6427 Fax: (515) 281-0763

### **CERTIFICATE OF SERVICE**

I hereby certify that on March 11, 2008, copies of the foregoing Amended Application for *Payment of Administrative Expenses* were served by U.S. Mail, First Class, postage prepaid, on the parties listed on the attached list.

Faesday March 11, 2008 WATERS

Copy To:

Office of the U.S. Trustee 100 West Capitol Street Suite 706 Jackson, MS 39269

Craig M. Geno P.O. Box 3380 Ridgeland, MS 39158-3380

Long Distance Billing Service, Inc. 436 Lynchburg Ave. Brookneal, VA 24528

Jeffrey A. Levingston P.O. Box 1327 Cleveland, MS 38732

# For the Department of Revenue **Itemized Statement**

For the Northern District of Mississippi 3rd Amended Admin. Exp. Claim

In Re: Long Distance Billing Serv. Inc.

Employer ID Number:			Case Number:		05-11168
Permit Number:			Petition Date:		02/22/05
Account Number:	1090481		Chapter:	7	
The debtor is indebted for t	axes due pursuant	to the revenue laws of the Stat	te of lowa as follow	'S:	

A. SECURED CLAIMS (Secured by a tax lien, or security interest as noted below) \*

KIND OF							DATE NOTICE
TAX	PERIOD	TAX	PENALTY	INTEREST	FEES	TOTAL	OF LIEN FILED

C. GENERAL UNSECURED CLAIMS

						\$22,758.65	Priority Total
Retail Use	12/31/07	\$1,304.00		- 		\$1,304.00	n/a
Retail Use	09/30/07	\$1,740.88	\$87.04	\$13.92		\$1,841.84	12/24/2007
Retail Use	09/30/06	\$2,003.05	\$200.31	\$204.28	e Teoret de la composition	\$2,407.64	04/12/2007
Retail Use	06/30/06	\$2,042.75	\$204.28	\$251.24		\$2,498.27	08/17/2006
Retail Use	03/31/06	\$2,097.45	\$209.75	\$302.03		\$2,609.23	05/23/2006
Retail Use	12/31/05	\$2,197.00	\$219.70	\$362.50	· ·	\$2,779.20	05/03/2006
Retail Use	09/30/05	\$2,443.00	\$244.30	\$444.60		\$3,131.90	05/03/2006
Retail Use	06/30/05	\$2,443.35	\$244.34	\$481.28		\$3,168.97	10/10/2005
Retail Use	03/31/05	\$2,300.00	\$230.00	\$487.60		\$3,017.60	08/04/2005
KIND OF TAX	PERIOD	TAX	PENALTY	INTEREST	FEES	TOTAL	DATE TAX ASSESSED

KIND OF							DATE TAX
TAX	PERIOD	TAX	PENALTY	INTEREST	FEES	TOTAL	ASSESSED

 \$0.00	Unsecured Total
\$22,758.65	GRAND TOTAL

\$0.00

Secured Total

\*To the extent that the security interest, or lien, described above is insufficient to satisfy the department's claim in full, the balance is a priority or a general unsecured claim.

Note: Amend 2nd administrative expense claim dated 8/11/06 in the amount of \$28,222.48. Chapter 11 converted to Chapter 7 11/8/07.

