

**FORMS ARE GENERIC SUGGESTIONS. PARTIES AND THEIR ATTORNEYS SHOULD REVISE THEM TO ADDRESS THE UNIQUE CIRCUMSTANCES OF EACH CASE.**

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
\_\_\_\_ DIVISION  
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In re \_\_\_\_\_,  
Debtor\*.)  
)  
) Case No. \_:\_\_\_-bk-\_\_\_\_-\_\_\_\_  
) Chapter \_  
)  
)  
\_\_\_\_\_ )

**ORDER CONDITIONALLY GRANTING  
DEBTOR’S MOTION TO DETERMINE ADEQUATE ASSURANCE  
OF PAYMENT FOR UTILITY SERVICES, OR IN THE ALTERNATIVE,  
ESTABLISHING THE PROCEDURE FOR DETERMINING ADEQUATE ASSURANCE**

**Any interested party who fails to file and serve a written objection to the motion (as conditionally approved by this Order) within 30 days after entry of this Order, shall be deemed to have consented to the provisions of this Order.**

THIS CASE came on for consideration without a hearing on the Motion to Determine Adequate Assurance of Payment for Utility Services, or in the Alternative, Establishing the

\_\_\_\_\_  
\* All references to “Debtor” include and refer to both debtors in a case filed jointly by two individuals.

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Procedure for Determining Adequate Assurance (Doc. No. \_\_\_) (the “Motion”) filed by the Debtor. Having reviewed the Motion, it is:

**ORDERED:**

1. The Motion (Doc. No.\_\_\_\_\_) is conditionally granted.
2. The Debtor receives services from these utility providers (collectively the “Utility

Providers”):

NAME AND ADDRESS OF COMPANY	TYPE OF SERVICE

3. The Debtor’s proposal to provide adequate assurance of payment to the Utility Providers, as stated in the Motion, satisfies 11 U.S.C. §366 and is approved:

[Describe the proposed adequate assurance proposed in the Motion that may include the following, depending on the facts of each case: (1) Paying a cash deposit equal to the cost of four weeks’ worth of utility services, based invoices issued during the four calendar months prior to filing Chapter 11; (2) Maintaining payments for all post-petition utility service invoices; (3) Paying all outstanding pre-petition invoices for utility service; (4) Allowing Utility Providers to retain existing deposits; (5) Permitting Utility Providers to set-off any unpaid utility service invoices against deposits; (6) Allowing the Utility Providers to declare a cross-default if a Debtor has multiple utility service accounts and fails to provide adequate assurance of payment on any of the accounts; (7) Authorizing a Utility Provider to declare a default and terminate utility service if the Debtor fails to timely pay any post-petition invoice and does not cure such failure within ten (10)

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days following written notice from the Utility Provider; and (8) Granting the Utility Provider an administrative expense claim for any unpaid post-petition utility service.]

4. Any written objections to the Motion shall be filed with the Court and served on the Debtor and Debtor's counsel within thirty (30) days from the entry of this Order. If no timely objections are filed, this order will be final without further notice or hearing. Timely filed objections shall be set for hearing.

5. The Utility Providers shall continue to provide utility services to the Debtor without interruption if the Debtor complies with the provisions in this order. Utility Providers may not alter, refuse, terminate or discontinue utility service to or discriminate against the Debtor due to the commencement of this Chapter 11 case or due to any outstanding prepetition invoices for utility service.

6. Debtor shall serve a copy of this Order on the Utility Providers and any other interested parties who do not receive service by CM/ECF and file a proof of service within three (3) days of entry of this Order.