

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA

FILED AND ENTERED
ON DOCKET

In re

AMERCO, a Nevada corporation

Debtor.

Case No. 03-52103 '03 JUN 20 P5:00

In Proceedings Under Chapter 11

Chief Judge Gregg W. Zive

U.S. BANKRUPTCY COURT
PATRICIA SPAY, CLERK

**ORDER PROHIBITING UTILITIES
FROM ALTERING, REFUSING, OR
DISCONTINUING SERVICES ON
ACCOUNT OF PRE-PETITION
INVOICES AND ESTABLISHING
PROCEDURES FOR DETERMINING
REQUESTS FOR ADDITIONAL
ADEQUATE ASSURANCE OF
PAYMENT**

Date of Hearing: June 20, 2003

Time of Hearing: 3:00 p.m. P.D.T.

Upon the motion, dated June 20, 2003, (the "Motion"), of the above-captioned Debtor and Debtor-in-Possession (the "Debtor"), for entry of an order, under section 366 of the United States Bankruptcy Code, 11 U.S.C. §§ 101-1330 (the "Bankruptcy Code"): (a) prohibiting utility companies providing service to the Debtor (the "Utilities"), including but not limited to the Utilities listed on Exhibit A attached hereto, from altering, refusing or discontinuing services on account of pre-petition invoices or the filing of this Chapter 11 case; and (b) establishing procedures for determining requests for additional adequate assurance of payment; and upon the "Declaration of Andrew A. Stevens in Support of Chapter 11 Petition and First Day Motions," this Court finds that: (i) it has jurisdiction over the matters raised in the Motion under 28 U.S.C. §§ 157 and 1334; (ii) venue of this matter is proper under 28 U.S.C. §§ 1408 and 1409; (iii) this matter is a core proceeding under 28 U.S.C. § 157(b)(2); (iv) the relief requested in the Motion is

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in the best interests of the Debtor, its estate, its creditors, and other parties-in-interest; (v) adequate and proper notice of the Motion and the hearing thereon has been given and that no other or further notice is necessary; and (vi) good and sufficient cause exists for the granting of the relief requested in the Motion as set forth herein,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Motion is GRANTED.
2. The Debtor shall pay in accordance with its pre-petition practices all undisputed invoices for post-petition utility services provided by the Utilities to the Debtor.
3. Absent any further order of the Court, each of the Utilities is enjoined from: (a) altering, refusing, or discontinuing service to, or discriminating against, the Debtor, solely on the basis of the commencement of this case or on account of any unpaid invoice for service provided prior to the Petition Date; or (b) requiring the payment of a deposit or other security in connection with the Utility's continued provision of utility services to the Debtor, including but not limited to, the furnishing of gas, heat, electricity, water, sewer, cable, telephone, telecommunications, internet, paging, cell phone, or any other service of like kind.
4. The Debtor's history of prompt and full payment for pre-petition utility services, its provision of sizeable deposits to the Utilities before the Petition Date, and its demonstrated ability to pay future utility bills together constitute adequate assurance of future payment for utility service under section 366(b) of the Bankruptcy Code.
5. The Debtor shall serve this Order on the Utilities at their last known addresses by first-class mail, postage prepaid, within five (5) business days of the entry of this Order.
6. Except as provided below, the Debtor shall not be required to provide any future deposits or other security to the Utilities for adequate assurance of payment under section 366(b)

of the Bankruptcy Code, nor may any of the Utilities draw on any existing surety bond or letter of credit to secure payment for future utility service.

7. This Order is without prejudice to the right of any of the Utilities to request from the Debtor additional adequate assurance of payment in the form of a security deposit or other security. Any such request must be in writing and set forth the location for which the utility services are provided, a payment history for the most recent six (6) months, and a description of any material payment delinquency or irregularity. Any such request for additional adequate assurance of payment must be actually received by counsel to the Debtor no later than 20 days after the date of this Order.

8. If the Debtor believes that any request for additional assurance of payment by one of the Utilities is untimely or unreasonable, and the Debtor is unable to resolve such dispute with the Utility, then upon the request of the Utility the Debtor shall promptly file a motion with respect to such Utilities' request to determine the need for any additional adequate assurance of payment and schedule such motion for hearing (the "**Determination Hearing**").

9. Any Utilities having made a request for additional adequate assurance of payment shall be deemed to have adequate assurance of payment until the Court enters an Order in connection with such a request at the Determination Hearing.

10. Any Utilities not listed on Exhibit A to this Order but subsequently identified shall be served with a copy of this Order by the Debtor and shall be afforded twenty (20) days from the date of service to request additional adequate assurance of payment, if any, from the Debtor. Such a request must otherwise comply with the requirements of this Order or shall be deemed an untimely and invalid request for additional adequate assurance of payment.

11. If additional Utilities are identified by the Debtor, contemporaneously with the service of the Order as described in paragraph 10, the Debtor shall file with the Court a supplement to Exhibit A to this Order adding the name of the Utilities so served, and this Order will be deemed to apply to the Utilities from the date of such service, subject to a later order of the Court at a Determination Hearing, if any.

Dated this 20th day of June 2003.



CHIEF UNITED STATES BANKRUPTCY JUDGE

EXHIBIT A

AMERCO Utility Providers

Vendor Name	Address	City	State	Zip
SBC/Nevada Bell	P.O. Box 989045	West Sac	CA	95798-9045
AT&T	P.O. Box 78214	Phoenix	AZ	85062
AT&T Wireless	P.O. Box 78110	Phoenix	AZ	85062-8110
Great Basin Internet Service	PO Box 6209	Reno	NV	89513