

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE COMPLAINT)	
FILED BY SPRINT COMMUNICATIONS)	
COMPANY, LP AGAINST NATIVE)	Docket No. TC10-026
AMERICAN TELECOM, LLC)	
REGARDING TELECOMMUNICATIONS)	
SERVICES)	

AFFIDAVIT OF THOMAS J. REIMAN

Thomas J. Reiman, being first duly sworn upon his oath, and in support of Defendant Native American Telecom, LLC's Motion to Stay/Motion to Dismiss, states as follows:

1. I am the President of NATIVE AMERICAN TELECOM ENTERPRISE, LLC (NAT ENTERPRISE), a limited liability company organized under the laws of the State of South Dakota.
2. Native American Telecom, LLC (NAT) is a full-service, tribally-owned limited liability company organized under the laws of the State of South Dakota. NAT's ownership structure consists of the Crow Creek Sioux Tribe (51%) (Tribe), NAT ENTERPRISE (25%), and WideVoice Communications, Inc. (24%) (WideVoice).
3. NAT ENTERPRISE is a telecommunications development company and is a *separate and distinct entity* from NAT. WideVoice is a Competitive Local Exchange Carrier.
4. NAT provides high-speed Internet access, basic telephone, and long-distance services on and within the Crow Creek Sioux Tribe Reservation (Reservation). NAT's services take place exclusively within the exterior boundaries of the Reservation. NAT *does not* provide services within the State of South Dakota outside the exterior

boundaries of the Reservation. As a result of its efforts, NAT has created jobs and provided much-needed economic opportunities on the Reservation.

5. Since beginning its efforts on the Reservation, NAT has provided 110 installations for high-speed broadband and telephone at residential and business locations on the Reservation. Additional installations are taking place on a daily basis.
6. NAT has established an Internet Library with six (6) work stations that provide computer/Internet opportunities for residents that do not otherwise have access to computers.
7. The demand for the Internet Library's services is so great that NAT has built an additional facility on the Reservation that will serve as a full-service communications center offering free Internet, online education classes, computer classes and instruction, and free telephone access to individuals who would otherwise not have access to even these basic services. This state-of-the-art facility is scheduled to open in November 2010.
8. NAT subsidizes these services by providing them free-of-charge. Without NAT's subsidies, most of the Reservation's residents would simply not be able for afford these telecommunications services.
9. NAT has enabled the Reservation to escape the unfortunate and long-standing circumstances that have prevented economic growth. For instance, the residents' inability to pay for telecommunications services is the primary reason why residents were not provided with access to these modern services. As such, without the ability to pay for these modern services, economic growth and viability were impossible.

Now, however, residents are building their own websites to sell their unique native crafts over the Internet. These unprecedented economic opportunities will continue to grow as residents' familiarity with modern services increases.

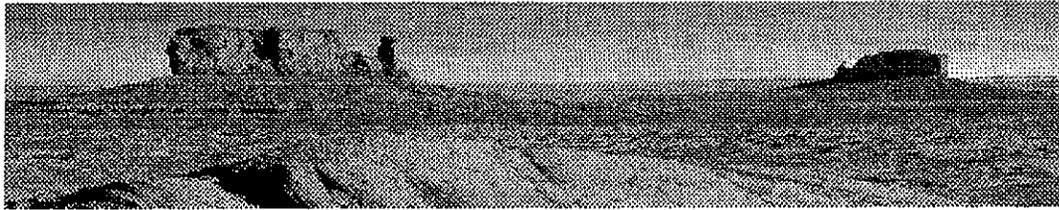
10. Through NAT's efforts, seven jobs (three full-time and four part-time) have been created on the Reservation. These employment opportunities are substantial considering the well-documented fact that the Reservation's unemployment rate is estimated to be between eighty (80) and ninety (90) percent.
11. Because NAT's unique business structure is based on both Tribal and corporate ownership, the partnering corporations have provided financial and capital investments that are unprecedented on the Reservation. This unique "tribal-private entity partnership" has replaced the "old model" of non-Tribal service entities providing limited services (at best) and having no economic incentive to ensure the Tribe's services grow, prosper, and become profitable. This "old model" has proven to be a failure. Under NAT's business model, however, the more successful NAT becomes, the more economically successful the Tribe becomes.
12. NAT completes Sprint's customers' conference calls. Each month, Sprint bills and collects these call termination fees from its customers. Yet Sprint refuses to pay NAT's termination fees for the services NAT provides. As such, Sprint profits handsomely from these calls. In other words, Sprint bills its customers for the fees, collects the fees from its customers, improperly refuses to distribute their customer's fees to NAT, and makes a handsome profit.

13. NAT does not engage in illegal "traffic pumping." Sprint knows that NAT's business model is perfectly legal. Sprint simply sees NAT as a direct competitor. NAT has properly filed federal and tribal tariffs that clearly explain that NAT is offering services to conference providers. NAT's business has always been conducted with transparency. Sprint's attempts to somehow claim that NAT's services and tariffs are improper or illegal is simply incorrect and misleading.
14. NAT's advanced telecommunications system is located on the Reservation. In fact, NAT's telecommunications system is located directly behind the Reservation's Youth Center. Sprint could have easily verified this fact by making a simple visual inspection of NAT's facilities. Instead, Sprint chooses to submit false and misleading information as to NAT's operations on the Reservation.
15. Sprint incorrectly asserts that calls do not "terminate" on the Reservation. In fact, calls do "terminate" on the Reservation via NAT's advanced telecommunications system. Of course, as stated above, NAT's telecommunications system is located on the Reservation.
16. On December 10, 2009, NAT forwarded its initial "Cover Letter" and Invoices for payment to Defendant Sprint Communications Company, L.P. (Sprint). This "Cover Letter" to Sprint designated CABS Agent as NAT's billing and collection agency. This "Cover Letter" also provided Sprint with details of NAT's services, ownership structure, and purpose.
17. Exhibit 8 to my affidavit is NAT's December 10, 2009, "Cover Letter" to Sprint.



18. Exhibit 9 to my affidavit is NAT's Invoices to Sprint. These Invoices accompanied NAT's December 10, 2009, "Cover Letter" to Sprint.
19. On or about January 4, 2010, Sprint paid NAT's Invoices in the amount of \$18,544.26.
20. On or about February 3, 2010, Sprint paid NAT's Invoices in the amount of \$10,911.96.
21. As a result of these payments, Sprint paid NAT's Invoices in the total amount of \$29,456.22.
22. Beginning in March 2010, Sprint ceased paying NAT's Invoices.

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Native American Telecom, LLC
A Full Service Telecommunications Company
Owned By The Crow Creek Sioux Tribe

Dear Madam or Sir:

Native American Telecom, LLC ("NAT-Crow Creek") has designated CABS Agent as its billing and collection agent in connection with access charges incurred under OCN 424F. The Company has assigned to CABS Agent an interest in amounts billed under this OCN.

CABS Agent is authorized to act on our behalf in all matters related to the billing and collection of access charges under this OCN, and its actions on the Company's behalf in that regard shall have the same effect as our own actions. CABS Agent may communicate with you from time to time regarding bill format, bill processing, and amounts due. Payment of all amounts billed under this OCN is to be remitted directly to CABS Agent.

NAT-Crow Creek is a full service telecommunications carrier owned by the Crow Creek Sioux Tribe. NAT-Crow Creek was established in September 2009 to serve the telecommunications needs of the residents of Crow Creek reservation by providing affordable local telephone, broadband, and other telecommunications services to tribal members and others residing on the reservation. The Crow Creek reservation suffers from one of the highest poverty rates in the U.S., lack of jobs, staggering rates of homelessness, alcoholism, disease, drug abuse, murders, suicide, infant mortality, teenage pregnancy and high school dropouts. To address these issues and more, the Crow Creek Sioux Tribe established NAT-Crow Creek to build the telecommunications infrastructure necessary to enable business, economic, social and educational development on the reservation.

This authorization is valid until further written notice from NAT-Crow Creek. If you have any questions related to this notification, please contact me at 501-804-7797.

Very truly yours,

Gene DeJordy, CEO

6710 E. SPLIT ROCK CIRCLE, SIOUX FALLS, SD 57110

Tel: 605-370-8052 Fax: 203-292-8226 E-Mail: Gene@NativeAmericanTelecom.com

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REMIT TO:
CABS Agent FBO
Native American Telecom
P.O. Box 29024
Austin, TX 78755

BILL TO:
Sprint Communications Company, LP
6500 Sprint Parkway
Mailstop: KSOPHL0412
Overland Park, KS 66251

BILLING ACCOUNT 0833SD424F
INVOICE NUMBER D0333SD424F091
BILL DATE Dec 10, 2009
DUE DATE Dec 10, 2009
PAGE 1

BILLING INQUIRIES CALL: (512) 338-0017

TAX ID

SWITCHED ACCESS SERVICE
FEATURE GROUP D

*** BALANCE DUE INFORMATION ***

TOTAL AMOUNT OF LAST BILL	\$0.00
TOTAL BALANCE DUE	\$0.00

*** DETAIL OF CURRENT CHARGES ***

USAGE CHARGES		\$18,544.26
INTERSTATE	\$18,363.24	
INTRASTATE	\$181.02	
TOTAL CURRENT CHARGES		\$18,544.26
TOTAL AMOUNT DUE UPON RECEIPT		\$18,544.26

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REMIT TO:
CABS Agent FBO

BILL TO:
Sprint Communications Company, LP

BILLING ACCOUNT 0333SD424F
INVOICE NUMBER D0333SD424F091
BILL DATE Dec 10, 2009
PAGE 2

*** Detailed Summary of Usage Charges ***

	InterState	Quantity	Amount
TOTAL - ALL STATES / ECS			
End Office			
Local Switching - Terminating		361,367	8,119.19
Total Usage Charges For End Office:			8,119.19
Local Transport			
Tandem Switched Facility - Terminating		361,367	9,065.62
Tandem Switched Termination - Term		361,367	341.86
Tandem Switching - Terminating		361,367	836.57
Total Usage Charges For Local Transport:			10,244.05
Total InterState Usage Charges:			18,363.24



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CABS Agent FBO

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Sprint Communications Company, LP

BILLING ACCOUNT 0333SD424F
INVOICE NUMBER D0333SD424F091
BILL DATE Dec 10, 2009
PAGE 3

*** Detailed Summary of Usage Charges ***

IntraState			
TOTAL - ALL STATES / ECS	Quantity		Amount
End Office			
Local Switching - Terminating	3,562		80.03
Total Usage Charges For End Office:			80.03
Local Transport			
Tandem Switched Facility - Terminating	3,562		89.36
Tandem Switched Termination - Term	3,562		3.38
Tandem Switching - Terminating	3,562		8.25
Total Usage Charges For Local Transport:			100.99
Total IntraState Usage Charges:			181.02

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BILL DATE Dec 10, 2009
PAGE 4

*** Detailed Summary of Usage Charges ***

InterState		Quantity	Amount
SD - 424F			
End Office			
Local Switching - Terminating	361,367	8,119.19	
Total Usage Charges For End Office:			8,119.19
Local Transport			
Tandem Switched Facility - Terminating	361,367	9,065.62	
Tandem Switched Termination - Term	361,367	341.86	
Tandem Switching - Terminating	361,367	836.57	
Total Usage Charges For Local Transport:			10,244.05
Total InterState Usage Charges:			18,363.24

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PAGE 5

*** Detailed Summary of Usage Charges ***

IntraState		Quantity	Amount
SD - 424F			
End Office			
Local Switching - Terminating	3,562		80.03
Total Usage Charges For End Office:			80.03
Local Transport			
Tandem Switched Facility - Terminating	3,562		89.36
Tandem Switched Termination - Term	3,562		3.38
Tandem Switching - Terminating	3,562		8.25
Total Usage Charges For Local Transport:			100.99
Total IntraState Usage Charges:			181.02
TOTAL FOR ALL JURISDICTIONS:			18,544.26

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**** Detail of Usage Charges For Office FTTHSDXA1MD ****
**** Nov 01, 2009 thru Nov 30, 2009 ****

InterState

Rate Category	Quantity	Rate	Amount
End Office			
Local Switching - Terminating	190,430	0.02246800	4,278.58
Total End Office Charges			4278.58
Local Transport			
Tandem Switched Facility - Terminating	190,430	0.02508700	4,777.32
Tandem Switched Termination - Term	190,430	0.00094600	180.15
Tandem Switching - Terminating	190,430	0.00231500	440.85
Total Local Transport Charges			5398.32
Total InterState Usage Charges For Office FTTHSDXA1MD			9676.90

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**** Detail of Usage Charges For Office FTTHSDXA1MD ****
**** Nov 01, 2009 thru Nov 30, 2009 ****

IntraState

Rate Category	Quantity	Rate	Amount
End Office			
Local Switching - Terminating	1,937	0.02246800	43.52
Total End Office Charges			43.52
Local Transport			
Tandem Switched Facility - Terminating	1,937	0.02508700	48.59
Tandem Switched Termination - Term	1,937	0.00094600	1.83
Tandem Switching - Terminating	1,937	0.00231500	4.48
Total Local Transport Charges			54.90
Total IntraState Usage Charges For Office FTTHSDXA1MD			98.42

Total Billing Period Usage Charges For Office FTTHSDXA1MD			9,775.32

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** Detail of Usage Statistics For Office FTTHSDXA1MD **
** Nov 01, 2009 thru Nov 30, 2009 **

InterState

SD - 424F - Term	Recorded MOU	Messages	Factored MOU
Tandem			
Terminating MOU	188,977	6,035	188,977
Terminating MOU (PIU 50, PIIU 0, PLU 0)	1,453	56	1,453
Total SD - 424F - Term	190,430	6,091	190,430

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**** Detail of Usage Statistics For Office FTTHSDXA1MD ****

**** Nov 01, 2009 thru Nov 30, 2009 ****

IntraState

SD - 424F - Term	Recorded MOU	Messages	Factored MOU
Tandem			
Terminating MOU	483	18	483
Terminating MOU (PIU 50, PIU 0, PLU 0)	1,454	61	1,454
Total SD - 424F - Term	1,937	79	1,937



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**** Detail of Usage Charges For Office FTTHSDXA1MD ****
**** Oct 01, 2009 thru Oct 31, 2009 ****

InterState

Rate Category	Quantity	Rate	Amount
End Office			
Local Switching - Terminating	170,933	0.02246800	3,840.52
Total End Office Charges			3840.52
Local Transport			
Tandem Switched Facility - Terminating	170,933	0.02508700	4,288.20
Tandem Switched Termination - Term	170,933	0.00094600	161.70
Tandem Switching - Terminating	170,933	0.00231500	395.71
Total Local Transport Charges			4845.61
Total InterState Usage Charges For Office FTTHSDXA1MD			8686.13

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**** Detail of Usage Charges For Office FTTHSDXA1MD ****
**** Oct 01, 2009 thru Oct 31, 2009 ****

IntraState

Rate Category	Quantity	Rate	Amount
End Office			
Local Switching - Terminating	1,623	0.02246800	36.47
Total End Office Charges			36.47
Local Transport			
Tandem Switched Facility - Terminating	1,623	0.02508700	40.72
Tandem Switched Termination - Term	1,623	0.00094600	1.54
Tandem Switching - Terminating	1,623	0.00231500	3.76
Total Local Transport Charges			46.02
Total IntraState Usage Charges For Office FTTHSDXA1MD			82.49

Total Billing Period Usage Charges For Office FTTHSDXA1MD			8,768.62



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** Detail of Usage Statistics For Office FTTHSDXA1MD **
** Oct 01, 2009 thru Oct 31, 2009 **

InterState

SD - 424F - Term	Recorded MOU	Messages	Factored MOU
Tandem			
Terminating MOU	169,392	5,517	169,392
Terminating MOU (PIU 50, PIIU 0, PLU 0)	1,541	61	1,541
Total SD - 424F - Term	170,933	5,578	170,933

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** Detail of Usage Statistics For Office FTTHSDXA1MD **
** Oct 01, 2009 thru Oct 31, 2009 **

IntraState

SD - 424F - Term	Recorded MOU	Messages	Factored MOU
Tandem			
Terminating MOU	80	12	80
Terminating MOU (PIU 50, PIIU 0, PLU 0)	1,543	66	1,543
Total SD - 424F - Term	1,623	78	1,623

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BILL DATE Dec 10, 2009
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**** Detail of Usage Charges For Office FTTHSDXA1MD ****
**** Sep 01, 2009 thru Sep 30, 2009 ****

InterState

Rate Category	Quantity	Rate	Amount
End Office			
Local Switching - Terminating	4	0.02246800	0.09
Total End Office Charges			0.09
Local Transport			
Tandem Switched Facility - Terminating	4	0.02508700	0.10
Tandem Switched Termination - Term	4	0.00094600	0.01
Tandem Switching - Terminating	4	0.00231500	0.01
Total Local Transport Charges			0.12
Total InterState Usage Charges For Office FTTHSDXA1MD			0.21

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**** Detail of Usage Charges For Office FTTHSDXA1MD ****
**** Sep 01, 2009 thru Sep 30, 2009 ****

IntraState

Rate Category	Quantity	Rate	Amount
End Office			
Local Switching - Terminating	2	0.02246800	0.04
Total End Office Charges			0.04
Local Transport			
Tandem Switched Facility - Terminating	2	0.02508700	0.05
Tandem Switched Termination - Term	2	0.00094600	0.01
Tandem Switching - Terminating	2	0.00231500	0.01
Total Local Transport Charges			0.07
Total IntraState Usage Charges For Office FTTHSDXA1MD			0.11

Total Billing Period Usage Charges For Office FTTHSDXA1MD			0.32



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BILL DATE Dec 10, 2009
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**** Detail of Usage Statistics For Office FTTHSDXA1MD ****

**** Sep 01, 2009 thru Sep 30, 2009 ****

InterState

SD - 424F - Term	Recorded MOU	Messages	Factored MOU
Tandem			
Terminating MOU	4	12	4
Total SD - 424F - Term	4	12	4

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** Detail of Usage Statistics For Office FTTHSDXA1MD **
** Sep 01, 2009 thru Sep 30, 2009 **

IntraState

SD - 424F - Term	Recorded MOU	Messages	Factored MOU
Tandem			
Terminating MOU	2	5	2
Total SD - 424F - Term	2	5	2