

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE )  
COMPLAINT OF SOUTH DAKOTA )  
NETWORK, LLC, AGAINST SPRINT )  
COMMUNICATIONS COMPANY LP )

IN THE MATTER OF THE THIRD )  
PARTY COMPLAINT OF SPRINT )  
COMMUNICATIONS COMPANY LP )  
AGAINST SPLITROCK PROPERTIES, )  
INC., NORTHERN VALLEY )  
COMMUNICATIONS, INC., SANCOM, )  
INC., AND CAPITAL TELEPHONE )  
COMPANY )

DOCKET NUMBER TC 09-098

**SPRINT’S MOTION TO ENFORCE SUBPOENAS AND MODIFY  
PROCEDURAL SCHEDULE**

Sprint Communications Company L.P. (“Sprint”) pursuant to SDCL § 15-6-45(a) through 15-6-45(d) and ARSD 20:10:01:17 respectfully submits this Motion to Enforce Subpoenas and Modify Procedural Schedule based on failure of Native American Telecom, LLC and Free Conferencing Corporation to comply with Subpoenas issued to them under the South Dakota Public Utilities Commission Rules. Sprint requests the following relief:

1. An order compelling Native American Telecom, LLC (“NAT”) to produce the documents requested by Sprint pursuant to a September 28, 2011, subpoena duces tecum within 14 days after an order of the Commission;
2. An order compelling NAT to appear for a re-set deposition of its corporate representative at a time to be scheduled following its production of documents;
3. An order compelling Free Conferencing Corporation (“Free Conferencing”) to produce the documents requested by Sprint pursuant to a September 14, 2011 subpoena within 14 days after an order of the Commission;

4. An order compelling Free Conferencing to appear for a re-set deposition of its corporate representative at a time to be scheduled following its production of documents; and
5. An order modifying the Procedural Schedule in this case to the extent necessary to allow Sprint to complete these depositions after the existing November 8, 2011, deposition deadline.

This Motion is supported by the attached Memorandum in Support of Motion to Enforce Subpoenas and Modify Procedural Schedule and the Affidavit of Philip Schenkenberg.

Dated this 27<sup>th</sup> Day of October, 2011.

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By 

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