

5. As such, NAT has informed Sprint's counsel that it will pay Sprint its refund claim of \$281.95.

6. NAT has also informed Sprint that NAT will not charge Sprint for intrastate terminating access charges in South Dakota until NAT receives its Certificate of Authority from the Commission.

7. Although NAT believes that Sprint owes NAT \$5,141.68 in intrastate terminating access "back fees," NAT has informed Sprint that NAT will waive these "back fees."

Dated this 23rd day of April, 2012.



Scott R. Swier

Subscribed and sworn to before me
this 23rd day of April, 2012.



Notary Public - South Dakota
My Commission Expires - 02/15/18

(SEAL)

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of *AFFIDAVIT OF SCOTT R. SWIER IN SUPPORT OF NATIVE AMERICAN TELECOM, LLC'S MOTION TO DISMISS BASED ON MOOTNESS* was delivered *via electronic mail* on this 23rd day of April 2012, to the following parties:

Service List (SDPUC TC 10-026)

/s/ Scott R. Swier
Scott R. Swier