

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION
OF NATIVE AMERICAN TELECOM, LLC
FOR A CERTIFICATE OF AUTHORITY TO
PROVIDE LOCAL EXCHANGE SERVICE
WITHIN THE STUDY AREA OF MIDSTATE
COMMUNICATIONS, INC.

Docket No. TC11-087

**SPRINT COMMUNICATIONS
COMPANY L.P.'S MOTION TO
COMPEL**

COMES NOW, Sprint Communications Company L.P. ("Sprint"), by and through counsel of record, Philip R. Schenkenberg and Scott G. Knudson, Briggs and Morgan, P.A., 80 South 8th Street, 2200 IDS Center, Minneapolis, Minnesota, and pursuant to ARSD 20:10:01:01.02 and SDCL § 15-6-37(a), hereby files its Motion to Compel against Native American Telecom, LLC ("NAT").

As detailed fully in the accompanying memorandum, NAT has failed to provide substantive responses to Sprint's discovery requests designed to (1) test NAT's statements in its Application and testimony and (2) ensure that statutory standards for certification are met. There is good cause for granting this motion: the Commission should reject NAT's position that NAT's limited factual representations should be taken as true, without being subject to discovery, and that NAT's Application should simply be rubber-stamped.

In addition, because NAT's discovery tactics are unreasonable and have served only to needlessly increase Sprint's time and expenses to obtain discovery, NAT should be required to pay Sprint fees and costs for this motion. ARSD 20:10:01:01.02; SDCL § 15-6-37(a)(4)(A).

Dated this 2nd day of April, 2012.

BRIGGS AND MORGAN, P.A.

s/Scott G. Knudson

Philip R. Schenkenberg

Scott G. Knudson

2200 IDS Center

Minneapolis, Minnesota 55402

(612) 977-8400

Counsel for Sprint Communications
Company L.P.