

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 SECOND
MOTION TO COMPEL/
ENFORCE PRIOR COMMISSION
ORDER**

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 Second Motion to Compel/Enforce Prior Commission Order against Native American Telecom, LLC ("NAT").

As detailed fully in the accompanying memorandum, NAT has failed to comply with the Commission's May 4, 2012 Order compelling discovery (the "May 4 Order"). There is good cause for granting this motion. NAT initiated this proceeding and is asking for permission to operate as a certificated carrier. And yet NAT cares so little for this process that it has disregarded the May 4 Order and has failed to adequately respond to Sprint's discovery requests as the parties prepare to supplement their pre-filed testimony.

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 its fees and costs associated with this motion. ARSD 20:10:01:01.02; SDCL § 15-6-37(a)(4)(A).

Dated this 4th day of April, 2013.

BRIGGS AND MORGAN, P.A.

s/Philip R. Schenkenberg

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