

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

<b>IN THE MATTER OF THE COMPLAINT FILED</b>	)	<b>ORDER GRANTING MOTION</b>
<b>BY SPRINT COMMUNICATIONS COMPANY,</b>	)	<b>FOR A PROTECTIVE ORDER</b>
<b>LP, AGAINST NATIVE AMERICAN TELECOM,</b>	)	<b>REQUIRING THE PARTIES</b>
<b>LLC REGARDING TELECOMMUNICATIONS</b>	)	<b>AND INTERVENORS TO</b>
<b>SERVICES</b>	)	<b>COMPLY WITH A</b>
	)	<b>CONFIDENTIALITY</b>
	)	<b>AGREEMENT</b>
	)	
	)	<b>TC10-026</b>

On May 4, 2010, the Public Utilities Commission (Commission) received a complaint from Sprint Communications Company, LP (Sprint) against Native American Telecom, LLC (NAT), in which Sprint seeks: 1) a determination that the Commission has the sole authority to regulate Sprint's intrastate interexchange services and that NAT lacks authority to bill Sprint for switched access services without a Certificate of Authority and valid tariff on file with the Commission; 2) a declaration that because the Commission has the sole authority over Sprint's intrastate interexchange services, the Crow Creek Sioux Tribe Utility Authority is without jurisdiction over Sprint; and 3) a determination that NAT must repay Sprint the amounts it inadvertently paid NAT for unauthorized and illegal switched access charges. On May 5, 2010, Sprint filed an Amended Complaint.

Petitions to intervene were filed by the South Dakota Telecommunications Association (SDTA), South Dakota Network, LLC (SDN), Midstate Communications (Midstate), AT&T Communications of the Midwest, Inc., (AT&T), and the Crow Creek Sioux Tribe Utility Authority (CCSTUA). At its regularly scheduled meeting on June 18, 2010, the Commission granted Petitions to Intervene to all those who filed to intervene.

On December 27, 2011, Sprint filed a Motion Requesting a Protective Order Requiring the Parties and Intervenors to Comply with a Confidentiality Agreement. The Confidentiality Agreement was filed with the Motion.

The Commission finds that it has jurisdiction in this matter pursuant to SDCL Chapters 1-26, 49-13, and 49-31.

At its January 31, 2012, meeting, the Commission considered Sprint's Motion Requesting a Protective Order Requiring the Parties and Intervenors to Comply with a Confidentiality Agreement. The Commission noted an incorrect citation in the proposed Confidentiality Agreement which Sprint stated would be corrected and refilled. There was no opposition to the Motion. The Commission unanimously voted to grant Sprint's Motion Requesting a Protective Order Requiring the Parties and Intervenors to Comply with a Confidentiality Agreement. The corrected Confidentiality Agreement was filed on January 31, 2012. It is therefore

ORDERED, that the Motion Requesting a Protective Order Requiring the Parties and Intervenor to Comply with a Confidentiality Agreement is hereby granted.

Dated at Pierre, South Dakota, this 10th day of February, 2012.

<p style="text-align: center;"><b>CERTIFICATE OF SERVICE</b></p> <p>The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically.</p> <p>By: <u>Joy Chung</u></p> <p>Date: <u>2-10-12</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Chris Nelson  
CHRIS NELSON,, Chairman

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner

Gary Hanson  
GARY HANSON, Commissioner