

**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 )  
 INTEREXCHANGE TELECOMMUNICATIONS )  
 SERVICES AND LOCAL EXCHANGE SERVICES IN )  
 SOUTH DAKOTA )  
 )  
 )  
 )

**ORDER GRANTING MOTION FOR  
 A PROTECTIVE ORDER  
 REQUIRING THE PARTIES AND  
 INTERVENORS TO COMPLY  
 WITH A CONFIDENTIALITY  
 AGREEMENT**

**TC11-087**

On October 11, 2011, the Public Utilities Commission (Commission) received an application from Native American Telecom, LLC (NAT) for a certificate of authority to provide interexchange long distance service and local exchange services in South Dakota. On October 12, 2011, the Commission electronically transmitted notice of the filing and the intervention deadline of October 28, 2011, to interested individuals and entities. On October 13, 2011, the Commission received a Petition to Intervene by Midstate Communications, Inc. (Midstate). On October 26, 2011, the Commission received a Petition to Intervene by AT&T Communications of the Midwest, Inc. (AT&T). On October 28, 2011, the Commission received a Petition to Intervene from Sprint Communications Company, L.P. (Sprint), Qwest Communications Company LLC dba CenturyLink (CenturyLink) and South Dakota Telecommunications Association (SDTA). On November 1, 2011, CenturyLink re-filed its Petition to Intervene. On November 14, 2011, NAT filed its responses to the petitions for intervention. On November 18, 2011, CenturyLink filed CenturyLink's reply. On November 21, 2011, NAT filed a Notice of Supplemental Authority. On November 22, 2011, the Commission found that the Petitions to Intervene of Midstate, ATAT, Sprint, CenturyLink, and SDTA demonstrated good cause to grant intervention and voted unanimously to grant intervention to Midstate, AT&T, Sprint, CenturyLink, and SDTA.

On January 12, 2012, NAT filed a Motion Requesting a Protective Order Requiring the Parties and Intervenor 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 and 49-31.

At its January 31, 2012, meeting, the Commission considered NAT's Motion Requesting a Protective Order Requiring the Parties and Intervenor to Comply with a Confidentiality Agreement. There was no opposition to the Motion. The Commission unanimously voted to grant NAT's Motion Requesting a Protective Order Requiring the Parties and Intervenor to Comply with a Confidentiality Agreement. 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><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>[Signature]</u></p> <p>Date: <u>2010-120</u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

[Signature]  
 CHRIS NELSON, Chairman

[Signature]  
 KRISTIE FIEGEN, Commissioner

[Signature]  
 GARY HANSON, Commissioner