

**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, AT&T, 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 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 and 49-31.

At its January 31, 2012, meeting, the Commission considered NAT's Motion Requesting a Protective Order Requiring the Parties and Intervenors 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 Intervenors to Comply with a Confidentiality Agreement. It is therefore

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

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

CERTIFICATE OF SERVICE	
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.	
By: <u>Joy Fiegen</u>	
Date: <u>2-10-12</u>	
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner