

EXHIBIT N
PUBLIC VERSION

Arent Fox

February 13, 2012

VIA EMAIL

Philip R. Schenkenberg
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80 South 8th Street
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Re: In the Matter of the Complaint of South Dakota Network, LLC Against Sprint Communications Company, LP, Docket No. TC 09-098

Dear Phil:

I am responding to your letter of today's date. While we have reviewed the letter carefully, it does not advance our discussions, but rather Sprint has again proposed that it be allowed to maintain redactions that are permitted by neither the South Dakota Rules of Civil Procedure nor the protective order in this case. After attempting for several weeks to resolve this issue to no avail, and in light of the other open discovery issues that will require the Commission's attention, we will proceed shortly with a motion to compel.

Pursuant to paragraph 14 of the Protective Order in this case, I also hereby notify you that Northern Valley objects to your designation of your February 13, 2012 letter as confidential. The Protective Order provides that "Designated Material" "shall mean any data, document or other material in which the 'producing party' has a good faith basis to assert the existence of confidential, proprietary, trade secret or other information subject to protection under ARSD 20:10:01:39. . . ." Your letter does not assert that it contains any confidential, proprietary, or trade secret information, and it is plainly obvious that it does not. Rather you attempt to declare the letter confidential merely so it cannot be utilized "in other jurisdictions." A protective order is not designed to shield Sprint's improper discovery tactics from scrutiny and we do not believe that there is a good faith basis for this designation. If you desire to have a meet and confer about this, please let me know.

Sincerely,



G. David Carter