

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT )  
OF SOUTH DAKOTA NETWORK, LLC, )  
AGAINST SPRINT COMMUNICATIONS )  
COMPANY LP )

**TC 09-098**

IN THE MATTER OF THE THIRD PARTY )  
COMPLAINT OF SPRINT )  
COMMUNICATIONS COMPANY LP )  
AGAINST SPLITROCK PROPERTIES, )  
INC., NORTHERN VALLEY )  
COMMUNICATIONS, INC., SANCOM, )  
INC., AND CAPITAL TELEPHONE )  
COMPANY )

**SPRINT'S REQUEST TO ISSUE  
CERTIFIED COPIES OF A  
COMMISSION DIRECTING  
DOMESTICATION OF SUBPOENAS  
TO NON-PARTIES IN FLORIDA**

**SPRINT'S REQUEST TO ISSUE CERTIFIED COPIES OF A COMMISSION  
DIRECTING DOMESTICATION OF SUBPOENAS TO NON-PARTIES IN FLORIDA**

Sprint Communications Company L.P. ("Sprint") respectfully requests that the Public Utilities Commission ("PUC") of South Dakota issue a "commission" so that Sprint can domesticate and enforce subpoenas on third parties located in Seminole County, Florida. Namely, these subpoenas will be served on Sang Capital Group, LLC ("Sang") and Sang's president, Alan Alpert ("Alpert"). This company and its president have relevant, unique information that is central to Sprint's third-party complaint against Northern Valley Communications, Inc. These persons are located in Florida and, thus, Sprint must follow the Florida Rules of Civil Procedure for the out-of-state service and execution of the subpoenas. Pursuant to Florida law, Sprint will take a certified copy of the PUC's "commission" to the Clerk of the Seminole County Court, who will then issue subpoenas to be served on its residents. Accordingly, Sprint respectfully requests that the PUC issue the attached, proposed commission.

The proposed commission comports with the PUC's governing administrative rules: any Commissioner may, upon written request from a party to an action, issue a subpoena "requiring

the attendance of witnesses and the production of records, books, papers, tariffs, agreements, contracts, and documents.” ARSD 20:10:01:17.

To properly serve these subpoenas in Florida under the United States Constitution’s Full Faith and Credit Clause, Sprint will comply with the state laws, rules and court procedures of Seminole County, Florida. Under the Florida Rules of Civil Procedure, the State of Florida requires a certified copy of a commission from the court of the pending action. Fla. R. Civ. P. 1.410(g). The Seminole County Clerk follows this state procedural rule and has clarified that such a commission should be created by an individual with the authority to issue orders in the current action. Therefore, obtaining a commission from the PUC will facilitate the out-of-state subpoena process and will ensure compliance from Sang and Alpert.

Accordingly, Sprint respectfully requests that the PUC issue to Sprint the attached proposed commission, stamped with the official stamp or seal of the PUC. Sprint will then file the commission, subpoenas, and notice of depositions with the Seminole County Court and will serve copies of all papers to the official service list in this proceeding.

Dated: March 30, 2011

By   
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## CERTIFICATE OF SERVICE

The undersigned certifies that on the 5<sup>th</sup> day of March, 2011, I served a true and correct copy of **SPRINT'S REQUEST TO ISSUE CERTIFIED COPIES OF A COMMISSION DIRECTING DOMESTICATION OF SUBPOENAS TO NON-PARTIES IN FLORIDA**, in the above-entitled matter, electronically to:

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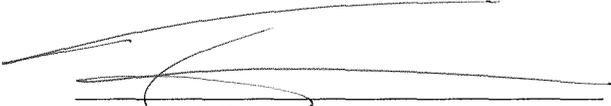
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