

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

<b>IN THE MATTER OF THE COMPLAINT</b>	)	
<b>FILED BY SPRINT COMMUNICATIONS</b>	)	
<b>COMPANY, LP AGAINST NATIVE</b>	)	<b>Docket No. TC10-026</b>
<b>AMERICAN TELECOM, LLC</b>	)	
<b>REGARDING TELECOMMUNICATIONS</b>	)	
<b>SERVICES</b>	)	

**MOTION TO EXTEND FILING DATE OF  
NATIVE AMERICAN TELECOM, LLC’S REPLY BRIEFS**

PLEASE TAKE NOTICE that Native American Telecom, LLC (NAT) hereby moves the South Dakota Public Utilities Commission (Commission) to extend the filing date of NAT’s reply briefs in this matter.

Pursuant to the Commission’s “Order Setting Briefing Schedule” (dated August 25, 2010), NAT’s “reply briefs” in support of its motion to dismiss and motion to stay were to be filed on or before October 11, 2010.

During the week of October 4, 2010, NAT contacted counsel for Sprint Communications Company, LP (Sprint) and informally requested a stipulation that NAT’s briefs could be filed on or before October 25, 2010. Sprint initially seemed to object to NAT’s informal request. Sprint then notified NAT it would need more time to consider NAT’s informal request. As of today’s date, Sprint has still not informed NAT whether Sprint would stipulate to NAT’s informal request to extend the filing date of NAT’s reply briefs.

The Commission should note that in the parties’ currently-pending companion case in United States District Court (D.S.D. – Civ. 10-4110), Sprint requested an informal extension to file a responsive document beyond the District Court’s deadline. NAT immediately extended Sprint this “professional courtesy” (and without question or hesitation) stipulated to Sprint’s

request. As such, NAT is perplexed as to why Sprint will not extend this “professional courtesy” to NAT.

As such, this Court should grant NAT’s request and extend the filing date of NAT’s reply briefs to a later date to be established by the Commission.

Dated this 11<sup>th</sup> day of October, 2010.

SWIER LAW FIRM, PROF. LLC

*/s/ Scott R. Swier*

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### **REQUEST FOR ORAL ARGUMENT**

NAT hereby requests that the Commission schedule Oral Argument on this motion.

Dated this 11<sup>th</sup> day of October, 2010.

SWIER LAW FIRM, PROF. LLC

*/s/ Scott R. Swier*

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on *October 11<sup>th</sup>, 2010*, the foregoing “*Motion to Extend Filing Date of NAT’s Reply Briefs*”, was served via *electronic mail*, upon the following:

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*/s/ Scott R. Swier*  
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