

## Knudson, Scott

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**From:** Knudson, Scott  
**Sent:** Friday, March 23, 2012 10:01 AM  
**To:** 'scott@swierlaw.com'  
**Cc:** Schenkenberg, Philip; 'Lawson, William [LEG]'  
**Subject:** Summary of meet and confer

Your email is accurate in that Sprint wants to continue pursuing its complaint in TC 10-26 to a PUC resolution on the merits regardless of the size of its refund claim. As we explained in our call, NAT's offer does not resolve the case, nor address the interests of intervenors which have been illegally charged by NAT. Moreover, Sprint's interest in continuing to prosecute TC 10-26 is consistent with what you represented to the Commission at its hearing on NAT's motion to stay – that discovery should continue.

Your email also fails to mention that we had a meet and confer on Sprint's discovery requests in TC 10-26, where you represented that NAT would not be providing anything further, despite its earlier agreement to do so.

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**From:** scott@swierlaw.com [mailto:scott@swierlaw.com]  
**Sent:** Wednesday, March 21, 2012 5:10 PM  
**To:** Schenkenberg, Philip; Knudson, Scott; William Lawson  
**Subject:** RE: SDPUC TC10-026

Counsel:

This email will confirm our telephone conference of Monday, March 23, 2012.

NAT has recently been advised that Sprint's money damages in this case constitute an intrastate refund claim of \$281.95. It is NAT's desire not to expend tens of thousands of dollars in additional attorney's fees in this case when Sprint is seeking a refund claim of less than \$300.00. As such, NAT's counsel has informed Sprint's counsel that it will pay Sprint its refund claim of \$281.95. Furthermore, although NAT believes that Sprint owes NAT \$5,141.68 in intrastate terminating access fees, NAT has informed Sprint that NAT will waive these fees and NAT will not charge Sprint for intrastate terminating access charges until NAT receives its Certificate of Authority from the Commission. Despite NAT's concessions and its belief that this case is now clearly moot, Sprint refuses to agree to dismiss its Amended Complaint. If any of the above representations are inaccurate, please let me know by *Friday, March 23, 2012 at 5:00 p.m. (local time)*. If I do not receive any objections to the above representations by that date/time, I will presume that Sprint believes these representations are accurate and include this information in NAT's motion to dismiss with the Commission.

Thank you.  
Scott

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Scott R. Swier

**SWIER LAW FIRM, PROF. LLC**

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