

**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 LOCAL EXCHANGE SERVICE
WITHIN THE STUDY AREA OF
MIDSTATE COMMUNICATIONS, INC.

Docket No. TC11-087

**NATIVE AMERICAN TELECOM, LLC'S
MOTION FOR SUMMARY JUDGMENT**

Pursuant to SDCL 15-6-56 and ARSD 20:10:01:01.02, Native American Telecom, LLC ("NAT") hereby moves the South Dakota Public Utilities Commission for summary judgment on NAT's "Application for Certificate of Authority to Provide Local Exchange Service Within the Study Area of Midstate Communications, Inc." ("Application").

There are no disputed issues of material fact relating to NAT's technical, managerial, and financial ability to provide the telecommunications services as proposed in NAT's Application.

Dated this 26th day of March, 2012.

SWIER LAW FIRM, PROF. LLC

/s/ Scott R. Swier _____

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of *NATIVE AMERICAN TELECOM, LLC'S MOTION FOR SUMMARY JUDGMENT* was delivered *via electronic mail* on this 26th day of March, 2012, to the following parties:

Service List (SDPUC TC 11-087)

/s/ Scott R. Swier
Scott R. Swier