

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

**SPRINT COMMUNICATIONS
COMPANY L.P.'S MOTION
TO QUASH
DEPOSITION NOTICES**

COMES NOW, Sprint Communications Company L.P. ("Sprint"), by and through counsel of record, Philip R. Schenkenberg and Scott G. Knudson, Briggs and Morgan, P.A., 80 South 8th Street, 2200 IDS Center, Minneapolis, Minnesota 55402, and pursuant to ARSD 20:10:01:01.02 and SDCL § 15-6-26(c), hereby files its Motion to Quash Deposition Notices against Native American Telecom, LLC ("NAT"). As detailed in the accompanying memorandum and supported by the Affidavit of Regina Roach and the August 20 Affidavit of Philip R. Schenkenberg with exhibits, Sprint asks the Commission to quash two deposition notices: (1) of expert witness, Randy Farrar, and (2) of Sprint, the corporate entity, which were filed by NAT on August 9, 2013.

As detailed in the accompanying memorandum, there is good cause for granting this motion. The depositions at issue should not go forward for four reasons: (1) they are an improper delay tactic by NAT, (2) NAT requests the same information the Commission already deemed irrelevant, (3) NAT's notice of deposition of Farrar violates the South Dakota Rules of Civil Procedure, and (4) NAT's document requests to Sprint seek information the Commission already decided would impose an undue burden on Sprint. Sprint has engaged in a good-faith meet and confer with NAT's counsel, but was

forced to bring this motion after the meet-and-confer communication proved unsuccessful.

In addition, if Sprint's motion is granted, NAT should be required to pay Sprint its fees associated with bringing this motion. ARSD 20:10:01:01.02 and SDCL § 15-6-26(c).

Dated this 20th day of August, 2013.

BRIGGS AND MORGAN, P.A.

s/Philip R. Schenkenberg

Philip R. Schenkenberg
Scott G. Knudson
2200 IDS Center
Minneapolis, Minnesota 55402
(612) 977-8400

Counsel for Sprint Communications
Company L.P.