STATE OF SOUTH DAKOTA) : SS COUNTY OF HUGHES) IN CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT

IN RE:

Case No. TC10-26

SPRINT COMMUNICATIONS COMPANY L.P.,

Complainant,

٧.

NATIVE AMERICAN TELECOM, LLC,

COMPANY L.P.'S RESPONSE TO
NATIVE AMERICAN TELCOM, LLC'S
MOTION TO ESTABLISH BRIEFING
SCHEDULE FOR ITS MOTION TO
DISMISS

SPRINT COMMUNICATIONS

Respondent.

Comes now Sprint Communications Company L.P. ("Sprint"), by and through its undersigned counsel, and submits this Response to Native American Telecom, LLC's ("NAT") Motion to Establish Briefing Schedule for its Motion to Dismiss. For its Response, Sprint states:

- Sprint filed the complaint in this matter against respondent, Native
 American Telecom, LLC ("NAT").
- 2. NAT filed a Motion to Dismiss on June 1, 2010. NAT did not file a brief in support of the Motion to Dismiss, but rather, filed a concurrent Motion to Establish Briefing Schedule.
- 3. Sprint agrees that a briefing schedule should be established on the Motion to Dismiss, but only after the Public Utilities Commission ("Commission") rules on the pending petitions for intervention. It is possible that parties granted intervention will want to weigh in on the Motion to Dismiss.

4. In the briefing schedule established by the Commission, NAT (and any intervening parties supporting the Motion to Dismiss) should bear the burden of going forward with briefs in support of the Motion to Dismiss. Sprint requests that the scheduling order allow thirty (30) days following the receipt of any briefs in support of the motion, for Sprint and other parties opposing the Motion to Dismiss to file responsive briefs.

CONCLUSION

Sprint respectfully requests that the Commission establish a briefing schedule as set forth above.

Dated at Sioux Falls, South Dakota, this 1044 day of June, 2010.

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Company, L.P.

CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for Complainant Sprint Communications Company L.P., hereby certifies that a true and correct copy of the foregoing "SPRINT COMMUNICATIONS COMPANY L.P.'S RESPONSE TO NATIVE AMERICAN TELECOM LLC'S MOTION TO ESTABLISH BRIEFING SCHEDULE FOR ITS MOTION TO DISMISS" was served via email upon the following:

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Dated at Sioux Falls, South Dakota, this 10th day of June, 2010.

/s/ Kathryn E. Ford