

STATE OF SOUTH DAKOTA)
 :
COUNTY OF BUFFALO)

IN CIRCUIT COURT

FIRST JUDICIAL CIRCUIT

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.

CIV. 12-

**AFFIDAVIT OF SCOTT R. SWIER
IN SUPPORT OF NATIVE AMERICAN TELECOM, LLC's
APPLICATION FOR STAY OF ADMINISTRATIVE PROCEEDINGS
PENDING JUDICIAL REVIEW**

My name is Scott R. Swier and I am an attorney licensed to practice law in South Dakota. I represent Appellant Native American Telecom, LLC ("NAT") in this case. I provide this Affidavit in support of NAT's Application for Stay of Administrative Proceedings Pending Judicial Review.

I declare that the attached are true and correct copies of the following documents:

1. Exhibit 1 to my Affidavit is the "Order Granting Invention" of the South Dakota Public Utilities Commission (SDPUC TC 11-087) (dated November 30, 2012).
2. Exhibit 2 to my Affidavit is the "Order Denying Motion for Summary Judgment; Order Granting Motions to Compel; Order

Granting in Part and Denying in Part Motion to Compel” of the
South Dakota Public Utilities Commission (TC 11-087) (dated
May 4, 2012).

I DECLARE UNDER PENALTY OF PERJURY that the foregoing
statements are true and correct.

Dated this 14th day of May, 2012.



Scott R. Swier

Subscribed and sworn to before me this 14th day of May, 2012.



Notary Public - State of South Dakota

My Commission Expires: 02/15/18

(SEAL)