

# Exhibit 76

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE COMPLAINT )  
OF SOUTH DAKOTA NETWORK, LLC, )  
AGAINST SPRINT COMMUNICATIONS )  
COMPANY LP )

DOCKET NUMBER TC 09-098

IN THE MATTER OF THE THIRD )  
PARTY COMPLAINT OF SPRINT )  
COMMUNICATIONS COMPANY L.P. )  
AGAINST SPLITROCK PROPERTIES, )  
INC., NORTHERN VALLEY )  
COMMUNICATIONS, INC., SANCOM, )  
INC., AND CAPITAL TELEPHONE )  
COMPANY )

**SPRINT COMMUNICATIONS  
COMPANY L.P.'S RESPONSES TO  
SOUTH DAKOTA NETWORK, LLC'S  
SECOND SET OF  
INTERROGATORIES, DOCUMENT  
REQUESTS AND REQUEST FOR  
ADMISSIONS**

---

**INTERROGATORIES**

1. Identify each person who prepared or participated in the preparation of the answers to the following interrogatories, and as to each interrogatory, state at the conclusion of the answer the name of each person who answered or supplied all or a portion of the information for the answer to the particular interrogatory.

**ANSWER:**

Sprint objects to this interrogatory as overbroad and on relevance grounds to the extent it asks for the identification of every person who "participated in the preparation" of the responses.

Subject to those objections and without waiver thereof, the following individuals provided factual information that was incorporated into these responses.

Regina Roach  
Manager Access Verification  
6500 Sprint Parkway  
Overland Park, KS 66251

Julie Walker  
Access Verification Analyst II  
6500 Sprint Parkway  
Overland Park, KS 66251

**ANSWER:**

*See In the Matter of Establishing Just and Reasonable Rates for Local Exchange Carriers, Call Blocking by Carriers, 22 FCC Rcd. 11629, 2007 WL 1880323 (2007).* Although Sprint has not sought to determine whether blocking of intrastate calls would be allowable, SDCL § 49-31-10 provides:

Delivery of messages to persons intended--Care required. Any telecommunications provider in this state shall use great care and diligence in the transmission and delivery of telecommunications services and shall deliver telecommunications messages to the persons for whom they are intended.

(a)-(b) Sprint objects to these subparts as calling for a legal conclusion. Subject to that objection, although Sprint has not analyzed this issue, Sprint does not expect that call blocking by SDN would be well received by either the FCC or the South Dakota Public Utilities Commission.

(c)-(d) Sprint has no knowledge or expectation as to whether SDN has a methodology or other means of identifying pumped traffic as it is being delivered. Sprint does not expect SDN to block this traffic.

(e) Sprint was referring to calls for which the interexchange carrier disputed the application of access charges.

5. In reference to your response to Int. 16(c) of SDN's Interrogatories (First Set), identify the FCC rule, order or other legal authority, including SDPUC or state law, Sprint believes specifically prohibits Sprint from blocking calls it believes are "pumped" calls.

- (a) In reference to your response, does sprint believe SDN is bound by the same FCC rule, order or other legal authority?
- (b) If so, identify the legal authority that allows SDN to block the alleged illegal traffic?

- (c) Is it Sprint's expectation that even though Sprint cannot block traffic, SDN can or that SDN has some methodology, service, or other means of identifying this alleged illegal traffic and dealing with it?
- (d) If Sprint's expectations is that SDN does have a methodology, service or other means of identifying the traffic, please identify the methodology, service or other means.
- (e) In reference to your response to Int. 16(c) of SDN's Interrogatories (First Set), would Sprint be able to develop a process to identify pumped traffic prior to sending the traffic down the FGD trunks?

**ANSWER:**

*See In the Matter of Establishing Just and Reasonable Rates for Local Exchange Carriers, Call Blocking by Carriers, 22 FCC Rcd. 11629, 2007 WL 1880323 (2007).* Although Sprint has not sought to determine whether blocking of intrastate calls would be allowable, SDCL § 49-31-10 provides:

Delivery of messages to persons intended--Care required. Any telecommunications provider in this state shall use great care and diligence in the transmission and delivery of telecommunications services and shall deliver telecommunications messages to the persons for whom they are intended.

(a) Sprint objects to this subpart as calling for a legal conclusion. Subject to that objection, although Sprint has not analyzed this issue, Sprint does not expect that call blocking by SDN would be well received by either the FCC or the South Dakota Public Utilities Commission.

(b) Sprint objects to this subpart as assuming facts not in evidence. Sprint does not believe it has alleged the traffic is "illegal."

(c)-(d) Sprint has no knowledge or expectation as to whether SDN has a methodology or other means of identifying pumped traffic as it is being delivered. Sprint does not expect SDN to block this traffic.

(e) Sprint objects to this interrogatory as calling for speculation and as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence.

6. Identify the FCC rule, order, or other legal authority, including SDPUC or state law that allows or authorizes a carrier to send long distance (LD) traffic to another carrier when it believes that the traffic it is sending violates the law and/or tariffs.

**ANSWER:**

Sprint objects to this interrogatory as calling for a legal conclusion. Sprint further objects to this interrogatory as assuming facts not in evidence; Sprint does not believe it has alleged that the traffic violates the law. Subject to those objections and without waiver thereof, see responses to Interrogatories 4 and 5 above.

7. When Sprint determined that the LD traffic its customers originated was illegal:

(a) What steps did Sprint take then and now to insure that such illegal traffic was not further transmitted in violation of law or tariff?

(b) What steps did Sprint take to warn or notify SDN that the traffic it was sending violated SDN tariffs?

(c) If steps were taken to warn or notify SDN, how was this accomplished?

**ANSWER:**

Sprint objects to this interrogatory as assuming facts not in evidence; Sprint does not believe it has alleged that the traffic is illegal.

8. In reference to the LD traffic Sprint believes to be "illegal," does the customer who originates LD traffic pay LD charges to Sprint to carry that traffic through SDN's tandem to the terminating LEC?

(a) What is the rate per minute charged to that customer?

(b) Does Sprint have a specific LD rate(s) for SD traffic?

(c) How much LD revenue did Sprint collect on the alleged illegal traffic during the time of the dispute (from 1/1/07 to present)?

**ANSWER:**

Sprint objects to this interrogatory as assuming facts not in evidence; Sprint does not believe it has alleged that the traffic is illegal.

9. In Sprint's response to Int. 33 of SDN's Interrogatories (First Set), Sprint states that "there is likely some small portion of traffic for which originating access is being billed and paid by Sprint." In regard to that statement, if there are over 284 million minutes of traffic between June of 2007 and April of 2009, would there not be at least an equal number of originating minutes that should be subject to originating access charges?

(a) Were there any tandem charges for the originating side of the traffic?

(b) Has Sprint disputed paying any originating access charges on traffic disputed in this proceeding?

(c) Does Sprint plan to dispute paying any originating access charges of traffic disputed in this proceeding?

**ANSWER:**

Sprint objects to this interrogatory as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. Subject to that objection and without waiver thereof, a far fewer number of minutes are subject to originating access charges because most of the calls delivered by Sprint's IXC network to terminating LECs are wireless-originated. Wireless originated calls are not subject to originating access charges.

(a) Sprint objects to this subpart as vague. Subject to that objection and without waiver thereof, on a traditional 1+ Sprint PIC'd long distance call, Sprint would be billed a tandem charge on the originating side.

(b) Sprint objects to this subpart as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. Subject to that objection and without waiver thereof, not to date, with respect to traffic originated in South Dakota.

(c) Sprint objects to this subpart as seeking information protected by the attorney-client privilege and/or the work product doctrine.

10. Does Sprint have any billing disputes with the SD LECs that originated the alleged illegal LD traffic?

(a) Is Sprint in arrears to any SD LECs for intrastate originating access services for traffic which is the subject of this complaint?

(b) If so, explain the originating access billing disputes and provide information on an estimate of the amount of access charges owed to the SD LECs collectively.

**ANSWER:**

Sprint objects to this interrogatory as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. Sprint further objects to this interrogatory as assuming facts not in evidence; Sprint does not believe it has alleged that the traffic is illegal. Subject to that objection and without waiver thereof, no.

(a)-(b) Sprint objects to these subparts as seeking information that is neither admissible nor reasonably calculated to lead to the discovery of admissible evidence. Subject to that objection and without waiver thereof, no.

11. In reference to how Sprint provides an intrastate toll call:

(a) How is the traffic routed?

(b) Where is the switch located?

(c) When was the switch installed?

## VERIFICATION

Information in SPRINT COMMUNICATIONS COMPANY L.P.'S RESPONSES TO SOUTH DAKOTA NETWORK, LLC'S SECOND SET OF INTERROGATORIES, DOCUMENT REQUESTS AND REQUEST FOR ADMISSIONS was provided by me and/or gathered at my direction from corporate records and personnel. I have reviewed the answers. I declare under penalty of perjury under the laws of the United States that the foregoing answers as to Sprint Communications Company L.P. are true and correct to the best of my knowledge and belief, based on my review of such information.

Signature: Regina Roach

Name (print): Regina Roach

Title: Manager, Access Verification