

**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)

**AFFIDAVIT OF
REGINA ROACH**

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

REGINA ROACH, being duly sworn under oath, states and alleges as follows:

1. I am Manager, Access Verification, for Sprint Communications Company L.P. ("Sprint"), I have personal knowledge of the matters contained in this Affidavit, or have obtained the information from records of which I have custody.

2. I make this affidavit in opposition to Northern Valley's Motion to Compel.

Interrogatory No. 4 and Document Request No. 15

3. I understand that Northern Valley's Interrogatory no. 4 reads:

Identify all LECs to whom Sprint has paid, or currently does pay, terminating switched access charges associated with calls made to and/or terminated with Calling Service Providers. For each of these LECs, identify:

- a. the LEC to whom payment was made;
- b. the time period during which such payments were made;
- c. whether Sprint made such payments pursuant to one or more tariffs, contracts, settlement agreements, or otherwise; and
- d. whether Sprint has made any objections or taken any action to recoup these payments.

I understand that Document Request No. 15 reads:

Produce all Documents that refer, relate to or identify any instances in which Sprint has paid terminating access charges to any LEC that serves Calling Service Providers, including all Documents relating to Sprint's validation that such charges were owed, including any analysis of relevant tariffs.

4. Sprint's general practice is to dispute bills that attempt to impose access charges on pumped traffic. That has been Sprint's practice in South Dakota.

5. To my knowledge, and with respect to the state of South Dakota, Sprint has not previously, and does not currently, knowingly pay terminating switched access charges that are billed by local exchange carriers ("LECs") for calls made to entities providing free or nearly free chat line or conference services.

6. If this question is limited in this way, Sprint has no responsive information.

7. Most of Sprint's traffic pumping disputes are like its dispute with Northern Valley – for some period of time, Sprint paid bills that included pumped traffic, and only after identifying the LEC as a traffic pumper were disputes and a refund claim filed. In South Dakota, this was true with respect to Sprint's disputes with Sancom, Splitrock, Capital, and Native American Telecom. I do not consider these to be knowing payments of access charges for pumped traffic – when we acquired the information needed to file disputes, we did so.

8. I understand from Sprint's counsel Phil Schenkenberg that Northern Valley's counsel has confirmed that Northern Valley is not asking Sprint to quantify or provide documents for all of the unknowing payments and minutes for the traffic described in the above paragraph. If Northern Valley had demanded that information I would have explained why it would have been burdensome for Sprint to have attempted to develop that information.

Affiant says nothing further.

Regina Roach
Regina Roach

Subscribed and sworn to before me
this 12th day of March, 2012.

Shelly L Green
Notary Public

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