

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN RE:

Docket No. TC10-026

SPRINT COMMUNICATIONS
COMPANY L.P.,

Complainant,

**AFFIDAVIT OF
SCOTT G. KNUDSON**

v.

NATIVE AMERICAN TELECOM,
LLC,

Respondent.

Scott G. Knudson, being duly sworn, states under oath as follows:

1. My name is Scott G. Knudson. I am one of the attorneys representing Sprint Communication Company ("Sprint") against Native American Telecom ("NAT") in this proceeding. I give this affidavit in support of Sprint's Complaint against NAT.

2. Attached to my affidavit as Exhibit A is a true and correct copy of the Affidavit of Amy S. Clouser dated September 28, 2010, filed in *Sprint Communications Company v. Maule, et al.*, Civ. No. 10-4110, a federal court action Sprint has brought against NAT. In paragraphs 8 and 9 of her affidavit, Ms. Clouser describes how Sprint learned that NAT was engaged in traffic pumping, a practice known also as access stimulation, and why Sprint declined to pay any of NAT's invoices after that discovery.

3. Attached to my affidavit as Exhibit B is a true and correct copy of the deposition testimony of Carlos Cestero taken on March 1, 2011 in the federal court action mentioned above. Mr. Cestero, an employee of Free Conferencing Corporation (Tr. at 7:14-17), testifies he handles the books and records for NAT from an office in Long Beach, California (Tr. 6:24-7:10, 8:16-9:6); that only he and Jeff Holoubek, an employee of Free Conferencing Corporation (Tr. 11:13-19), have check-signing authority over the Wells Fargo account where nearly all of NAT's money is held (Tr. 15:11-16:1, 46:1-47:6); that NAT has an agreement with Free Conferencing to pay Free Conferencing 75% of NAT's gross revenues (Tr. 33:11-34:6); and that Jeff Holoubek is the President of NAT (Tr. 84:2-5).

4. Attached to my affidavit as Exhibit C is a true and correct copy of the direct testimony of Jeff Holoubek dated April 20, 2012 in the docket of the Commission No. TC11-087. At page 8 of his direct testimony, Mr. Holoubek confirms what Mr. Cesteros testified to in March 2011.

5. Attached to my affidavit as Exhibit D is a true and correct copy of the direct testimony of David Erickson dated April 20, 2012 given in Commission docket TC11-087.

This concludes my affidavit.

Scott G. Knudson
Scott G. Knudson

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

Elizabeth Wood
Notary Public

