

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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.

Docket No. TC11-087

**AFFIDAVIT OF PHILIP R.  
SCHENKENBERG**

1. My name is Philip R. Schenkenberg. I am one of the attorneys representing Sprint Company L.P. (“Sprint”) in this proceeding. I give this affidavit in support of Sprint’s Motion to Strike NAT’s Post-Hearing Reply Memorandum and for Sanctions.

2. On October 16, 2013, Sprint provided copies of its settlement agreements with Northern Valley and Splitrock to NAT, in discovery. Pursuant to the Protective Order in this matter, Sprint designated these documents as “Confidential,” and provided these documents only to NAT, not to other intervenors or Commission Staff, who did not object to that limitation.

3. In discovery, Sprint did not provide NAT with Sprint’s settlement agreement with Sancom.

4. On April 16, I advised NAT’s counsel that I was concerned with the fact that NAT referenced Sprint’s settlement between Sancom and Sprint in its Post-Hearing Reply Memorandum and that such a statement was improper. I demanded that the Reply Memorandum be withdrawn and re-filed without the offending language.

5. During Mr. Farrar’s deposition, the sensitivity of confidential settlement information was discussed at length.

FURTHER AFFIANT SAYETH NOT.

*s/Philip R. Schenkenberg*  
Philip R. Schenkenberg

Subscribed and sworn to before me  
this 21st day of April, 2014.

*s/Sheryl M. O'Neill*  
Notary Public  
My commission expires: 1/31/2015