

**PBEFORE 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

**DECLARATION OF SCOTT R. SWIER
IN SUPPORT OF NATIVE AMERICAN TELECOM, LLC'S
MOTION FOR SUMMARY JUDGMENT**

STATE OF SOUTH DAKOTA)
 :SS
COUNTY OF BON HOMME)

Scott R. Swier ("Affiant"), one of the attorneys for Native American Telecom, LLC ("NAT"), upon information and belief, and being first duly sworn upon his oath, declares as follows:

1. Affiant makes this Affidavit in Support of NAT's "Motion for Summary Judgment."

2. On November 30, 2011, SDPUC Staff served a series of Data Requests on NAT.

3. NAT's Response Date to the SDPUC Staff's Data Requests was December 21, 2011.

4. NAT provided its Responses to the SDPUC Staff's Data Requests in a timely manner.

5. On January 31, 2012, NAT's Revised Application was "deemed complete" by the Commission's Staff.

6. NAT's "confidential financial documents" provided to the Commission include (1) NAT's Balance Statements and (2) NAT's Profit & Loss Statements (through December 31, 2011).

I DECLARE, upon information and belief, that the foregoing statements are true and correct.

Dated this 26th day of March, 2012.

/s/ Scott R. Swier

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of *DECLARATION OF SCOTT R. SWIER IN SUPPORT OF NATIVE AMERICAN TELECOM, LLC'S MOTION FOR SUMMARY JUDGMENT* was delivered *via electronic mail* on this 26th day of March, 2012, to the following parties:

Service List (SDPUC TC 11-087)

/s/ Scott R. Swier
Scott R. Swier