

**Testimony of
Michael McKerley
President, Zayo Education
Before the Interim Information Technology and Oversight Committee
Kentucky General Assembly
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Chairman Lockett, Chairman Williams, and members of the Committee, thank you for the opportunity to speak with you today regarding Zayo Group and Zayo Education's role in providing connectivity to Kentucky's K-12 students and our interest in the ongoing contract litigation between the Kentucky Communications Network Authority (KCNA) and Open Fiber/Accelercom.

Before addressing the core of my remarks, I want to briefly introduce Zayo Group and Zayo Education. In 2022, Zayo Group—one of the largest internet service providers in the world and **the** largest independent, open-access fiber network operator in North America—acquired Education Networks of America (ENA), leading to the creation of Zayo Education.

Zayo Group primarily serves government agencies, large enterprises, telecommunications carriers, and cloud and AI hyperscalers. While Zayo does not provide residential broadband service directly, we play a critical “middle-mile” role, supplying transport and backbone connectivity to many local internet service providers. In short, Zayo's fiber fuels innovation, delivering exceptionally high-capacity network connectivity to the nation's leading innovators while also working to ensure that all Americans have access to the Internet.

Zayo Education is one of the nation's top E-Rate service providers, supporting reliable, fully managed, high-capacity internet and communications services to more than 20% of all U.S. public K-12 schools. Here in Kentucky, we serve 170 plus school districts in partnership with the Kentucky Department of Education (KDE). Our work supports districts of all sizes in the Commonwealth, from large urban systems to small rural schools, ensuring that all students have access to the digital tools they need to learn and succeed. We are proud of our strong partnership with KDE, which has previously testified to this Committee about the high-quality, cost-effective services we deliver. Specifically, we provide 75% more bandwidth for 50% less cost than the Commonwealth's previous provider. In addition to connectivity, Zayo Education provides cybersecurity and network protection services to help schools safeguard sensitive data and ensure learning continues uninterrupted.

As this Committee well knows, students depend on consistent digital access for virtually every aspect of learning—from classroom instruction and online testing to remote coursework, career exploration, and dual-credit programs. What was once a helpful tool has now become an absolute necessity for teaching, learning, and all school operations.

Regarding the ongoing contractual dispute between KCNA and Accelercom, Zayo Education is a neutral party. We maintain positive working relationships with both organizations.

However, we are deeply concerned that, if not carefully managed, the outcome of this dispute could have serious unintended consequences for Kentucky's schools and students.

Specifically, the Franklin County Circuit Court has requested a termination schedule outlining how all customers—including Zayo Education and the school districts it serves—would be affected if Accelecom's contract were terminated. We believe schools represent the largest portion of the user base currently connected to the Next Generation Kentucky Information Highway (NGKIH), or Kentucky Wired, and a sudden disruption could cause significant harm to educational continuity across the Commonwealth.

Even if Zayo Education were allowed direct access to NGKIH fiber, replacing the last-mile connectivity and technology layer that Accelecom currently provides us would require both time and investment. Based on our analysis, the process to fully transition schools to a new network design could take up to 18 months.

We would respectfully ask the Committee to consider several guiding principles as it evaluates next steps:

1. **Keep Students Online.** Any transition plan must prioritize uninterrupted connectivity for Kentucky's students and educators. *Ideally, major transitions should take place over the summer and/or winter breaks.*
2. **Strengthen Future Contracts.** The next phase of Kentucky's broadband strategy should reinforce contractual clarity and accountability of all parties to prevent similar vulnerabilities, misunderstandings, and disputes in the future.
3. **Ensure Fairness and Transparency.** Any transfer or reassignment of assets or responsibilities should be managed through a fair, transparent process that protects taxpayers and end-users.
4. **Evaluate Long-Term Structure.** The Commonwealth should consider whether it remains in the broadband service business directly, or if a different model could better support state agencies, schools, and communities.

In closing, I want to thank the Committee for its thoughtful attention to this issue. Zayo's top priority is simple: keep students connected and learning. We look forward to working collaboratively with the Commonwealth to ensure that Kentucky's K–12 schools remain online—reliably, securely, and affordably.

Thank you, and I welcome your questions.