



Commonwealth of Kentucky
Governor's Office

Andy Beshear
Governor

Kentucky Communications Network Authority
500 Mero Street, Suite 1 – 1NC
Frankfort, KY 40601
(502) 782-9549

Stewart Douglas Hendrix
Executive Director

May 2, 2024

Via E-Mail

Rob Morphonios
Tom Snyder
KentuckyWired Operations Company, LLC
312 South 4th Street
Suite 700
Louisville, KY 40202

Re: KentuckyWired Operations Company, LLC's (KWOC) April 23, 2024 Letter

Dear Rob and Tom:

The Commonwealth of Kentucky, the Kentucky Communications Network Authority ("KCNA") is in receipt of the correspondence referenced above. In this correspondence, KentuckyWired Operations Company, LLC, ("KWOC")

[REDACTED]

KCNA further agrees the parties should agree the System Refresh Baseline Requirements as soon as possible. Upon establishment of the System Refresh Baseline Requirements, KWOC should then, to the extent necessary, modify the Market Testing Proposal to reflect the newly agreed upon System Refresh Baseline Requirements. After the parties agree upon the Draft Market Testing Proposal, KWOC should, no later than 20 Business Days of such agreement, submit the Operations Co Proposal to KCNA.

For clarity, KCNA's consensus with KWOC's proposal as set out in its April 23, 2024, letter shall not be construed as a waiver of any rights or remedies associated with KWOC's failure to comply with the terms of Schedule 19 of the Project Implementation Agreement, including, but not limited to, those outlined in KCNA's letter dated May 4, 2023. KCNA reserves any and all rights and remedies available under the Project Implementation Agreement, at law or in equity. Failure by KCNA to take any immediate action does not constitute a waiver of any of KCNA's rights or remedies arising under the Project Implementation Agreement or otherwise.

[SIGNATURE ON FOLLOWING PAGE]

Rob Morphonios
Tom Snyder
May 4, 2023

Sincerely,

Stewart Douglas Hendrix

Stewart Douglas Hendrix
Executive Director