



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

February 6, 2024

Via E-Mail

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

Re: KentuckyWired Operations Company LLC's (KWOC) January 3, 2024 correspondence

Rob:

The Commonwealth of Kentucky, the Kentucky Communications Network Authority ("KCNA") and KentuckyWired Infrastructure Company, Inc. ("KWIC") have received and reviewed the foregoing correspondence and jointly respond thereto.

In the January 3, 2024 correspondence, [REDACTED]

However, [REDACTED]

[REDACTED] does not comply with Schedule 19 of the Project Agreement and Project Implementation Agreement. Section 3.5(a) provides that KWOC "shall, subject to the provisions of this Section 3.5, determine which Service Tenderer (the "**Preferred Service Tenderer**") offers the Qualifying Service Tender in respect of the Services and the relevant System Refresh, that represents, as the case may be, the best value for money for the Authority." (Emphasis in original.) As you know, if KCNA and KWIC disagree with KWOC's recommendation, they may initiate the Dispute Resolution process.

Therefore, KWOC must choose only one Service Tenderer which it will recommend to KCNA and KWIC as the Preferred Service Tenderer pursuant to Schedule 19.

Sincerely,

Stewart Douglas Hendrix

Stewart Douglas Hendrix
Executive Director