

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Application of Zayo)
Network Services, LLC for a Certificate of) Docket No. 26-ZNST-019-COC
Authority to Provide Resold and Facilities-)
Based Interexchange Telecommunications)
Services in the State of Kansas (IXC).)

ORDER APPROVING CERTIFICATE OF CONVENIENCE APPLICATION

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (“Commission”) for consideration and determination. Having examined its files and records, the Commission finds and concludes:

1. On July 8, 2025, Zayo Network Services, LLC (“ZNS”) filed an application for Certificate of Convenience and Authority (“COC”) to provide interexchange telecommunication services (“IXC”) within the state of Kansas.

2. Commission Staff (“Staff”) submitted a report and recommendation dated September 15, 2025, regarding the application attached hereto and made a part hereof by reference.

3. K.S.A. 66-131 states: “No common carrier or public utility...shall transact business in the state of Kansas until it shall have obtained a certificate from the corporation commission that public convenience will be promoted by the transaction of said business and permitting said applicants to transact the business of a common carrier or public utility in this state.”

4. ZNS is a Delaware limited liability company, headquartered in Denver, Colorado, and is also properly registered with the Kansas Secretary of State’s Office with a status of active and in good standing. Staff’s evaluation of the information and representations provided by the

company suggests that adequate expertise exists through ZNS' management to provide interexchange services in Kansas.¹

5. Based on the representations provided by the company, ZNS does not currently provide telecommunications services but will request negotiation of an interconnection agreement with AT&T Kansas and/or Brightspeed of Kansas, Inc., upon approval of this application. The company is currently authorized to provide telecommunications service in 20 states and Washington, D.C.²

6. Upon approval of the application, ZNS must register with Vantage Point Solutions ("VPS"), the Kansas Universal Service Fund ("KUSF") administrator, within 30 days of the issuance of this order, and make the appropriate KUSF remittance and payment election via the Company Identification and Operations Form. Within 30 days of generating Kansas assessable revenue, the ZNS shall submit the relevant Carrier Remittance Worksheets ("CRW") and assessment payments to VPS.³

7. ZNS shall notify the Commission immediately of any change in address or contact telephone numbers or email addresses, file timely annual interrogatories, maintain current registration with the Kansas Secretary of State's Office, and pay all Commission and KUSF assessments in a timely manner.⁴

8. Staff recommends approval of ZNS' application for an IXC certificate to provide interexchange services in Kansas.

9. The Commission finds that ZNS' application should be granted and a COC should be issued to ZNS.

¹ Staff's Report and Recommendation, p. 3.

² *Id.*, p. 2.

³ *Id.*, p. 3.

⁴ *Id.*

THEREFORE, THE COMMISSION ORDERS:

A. Zayo Network Services, LLC's request for a certificate of convenience and authority to provide IXC services in the state of Kansas is approved.

B. Zayo Network Services, LLC shall register with VPS, the Kansas Universal Service Fund administrator, within 30 days of an order granting the company's application and make the appropriate KUSF remittance and payment election via the Company Identification and Operations Form. Within 30 days of generating Kansas assessable revenue, the company shall submit the relevant CRWs and assessment payments to VPS.

C. Zayo Network Services, LLC shall notify the Commission immediately of any change in address or contact telephone numbers or email addresses, file timely annual interrogatories, maintain current registration with the Kansas Secretary of State's Office, and pay all Commission and KUSF assessments in a timely manner.

D. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁵

BY THE COMMISSION IT IS SO ORDERED AND CERTIFIED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 10/02/2025



Celeste Chaney-Tucker
Executive Director

BWB

⁵ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

REPORT AND RECOMMENDATION UTILITIES DIVISION

TO: Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

FROM: Jorge Soto-Gomez, Telecommunications Analyst
Steve Garrett, Deputy Chief of Telecommunications
Janet Buchanan, Deputy Director of Utilities
Justin Grady, Director of Utilities

DATE: September 15, 2025

SUBJECT: Docket No. 26-ZNST-019-COC

In the Matter of the Application of Zayo Network Services, LLC for a Certificate of Authority to Provide Resold and Facilities-Based Interexchange Telecommunications Services in the State of Kansas (IXC).

EXECUTIVE SUMMARY:

On July 8, 2025, Zayo Network Services, LLC (ZNS) filed an application with the Kansas Corporation Commission (Commission) for a Certificate of Convenience and Authority (COC) seeking authority to provide resold interexchange carrier (IXC) telecommunications services within the state of Kansas. Commission Staff (Staff) recommends the approval of this application.

Pursuant to K.S.A. 66-131 (b), the commission shall issue a decision on a common carrier or public utility's application for a certificate of public convenience and necessity within 180 days of receiving the application. The Commission is required to rule by on this Application by **January 4, 2026**.

BACKGROUND:

The Commission derives its authority and jurisdiction to supervise and control telecommunications public utilities from K.S.A. 66-1,188 and K.S.A. 66-2005(z). The Commission derives its authority to certificate and de-certificate public utilities from K.S.A. 66-131; which requires the Commission to review all certification and decertification applications to determine whether the public convenience and necessity will be promoted by granting the request.

Pursuant to K.S.A 66-2005(w), telecommunications carriers seeking a certificate of convenience and necessity must demonstrate the technical, managerial and financial viability and the ability to meet quality of service standards established by the Commission.

ANALYSIS:

ZNS is a Delaware limited liability company formed on April 18, 2024, headquartered at 1401 Wynkoop Street, Suite 500, Denver, Colorado 80202. The company registered with the Kansas Secretary of State's office on June 17, 2025, to conduct telecommunications business, as a foreign limited liability company. ZNS is currently active and in good standing.¹ ZNS is registered with the Federal Communications Commission (FCC) to provide telecommunications services in other states as its application is pending in the state of Kansas.²

ZNS proposes to provide resold IXC telecommunications services to business, enterprise, and wholesale carrier customers within the state of Kansas. Primarily using the facilities and network equipment assigned from indirect parent Zayo Group, LLC³, an existing Kansas telecommunications company, or leased from an affiliate or another provider. ZNS does not currently own or lease facilities in Kansas.⁴ The corporate ownership structure is found in Exhibit D of the application, and for convenience, is attached to this Staff Report and Recommendation as Attachment 1. The company's indirect parent, Zayo Group, LLC, and subsidiary ENA Healthcare Services, LLC, currently provide telecommunications services in the state of Kansas. The company will not offer residential services. ZNS will mainly provide unregulated services. ZNS plans to provide facilities-based point-to-point telecommunications services through fiber optic cable and other similar high-bandwidth services for high-speed data transport such as ethernet, private line/dedicated line, multi-protocol label switching (MPLS), and wavelength. The applicant stated it does not intend to offer voice services at the present time.⁵ The equipment will include fiber optic transmitters, receivers, and amplifiers.

ZNS is currently providing services in 20 states and Washington, D.C. ZNS has 12 pending applications in other states including Kansas. The company will not have any service personnel located in Kansas. The company provided its customer service contact information for service, billing or repair/maintenance related issues in the application.⁶ The company included a signed Telecommunications Carrier Code of Conduct with its application as Exhibit H. The company has never had authorization revoked by any state commission.⁷

ZNS's application presented key management personnel from its operations in the U.S.⁸ The company provided a corporate organizational chart in its application as Exhibit D.⁹ The company

¹ Kansas Secretary of State, Zayo Network Services, LLC, <https://www.sos.ks.gov/eforms/BusinessEntity/Search.aspx>, last viewed August 14, 2025.

² FCC Form 499 Filer Database, Zayo Network Services, LLC, Registration current as of 04/01/2025, <https://apps.fcc.gov/cgb/form499/499a.cfm>, last viewed August 14, 2025.

³ See Attachment 1.

⁴ See Application, Exhibit A(C).

⁵ *Id.*, Exhibit A(A).

⁶ *Id.*, Item 8, pp. 3-4; Item 17, p. 7.

⁷ *Id.*, Exhibit A(D) and A(E).

⁸ *Id.*, Item 9; Exhibit B, Leadership & Management Biographies; <https://www.zayo.com/about/company-leadership/>, last viewed August 19, 2025.

⁹ *Id.*, Exhibit D.

identified its Chief Executive Officer Steve Smith, Chief Financial Officer & Treasurer Jeff Noto, Chief Legal Officer & Secretary Lauren Lantero, and other officers and/or executives. ZNS does not have its own Board of Directors. Staff contends that adequate expertise and experience exists through ZNS's management to operate telecommunications services.

ZNS's Exhibit E contained financial information from the indirect parent company Zayo Group Holdings, Inc. & its subsidiaries. ZNS stated it does not maintain financial statements separate from the consolidated financial statements of its indirect parent company, Zayo Group Holdings, Inc.¹⁰ The audited consolidated financial statements presented were Balance Sheet, Operations & Income, Cash Flow and other statements.¹¹ The currency was presented in millions of U.S. Dollars. The statements were accompanied by notes. The consolidated financial statements were prepared in accordance with the Generally Accepted Accounting Principles (GAAP). ZNS submitted both a public and confidential filing. The confidential financial records submitted were satisfactory.

Based on the review of ZNS's application and exhibits, Staff contends the company has the technical, managerial, and financial viability to provide IXC services in Kansas. To the extent that the company's presence in Kansas would increase consumer's options for services, Staff suggests the general public would benefit from Commission approval of this application.

RECOMMENDATION:

Staff recommends the Commission approve ZNS's application for its COC to provide resold IXC telecommunications services within the state of Kansas.

The Commission should direct the company to register with Vantage Point Solutions (VPS)¹², the Kansas Universal Service Fund (KUSF) Administrator, within 30 days of an Order granting the company's application, through the appropriate KUSF remittance and payment election via the Company Identification and Operations Form¹³. Within 30 days of generating Kansas intrastate assessable retail revenue, the company shall submit the relevant Carrier Remittance Worksheets and assessment payments to VPS.

ZNS should be reminded to notify the Commission immediately of any change in address or contact telephone numbers or email addresses, timely file Annual Interrogatory Reports due May 1, maintain current registration with the Kansas Secretary of State's Office, and pay all Commission and KUSF assessments in a timely manner.

When the COC holder wishes to discontinue service in Kansas, the holder shall file an application to cease its authority with the Commission. The COC holder shall provide advanced notice to both its Kansas customers and the Commission. An interexchange carrier providing service in Kansas wishing to discontinue service shall notify customers in accordance with FCC regulations.

¹⁰ *Id.*, Item 14, p. 7.

¹¹ *Id.*, Confidential Exhibit E(1), Financial Statements pdf p. 26-36 of the application; Notes that accompany Financial Statements (p.9-63) pdf p. 37-91 of the application.

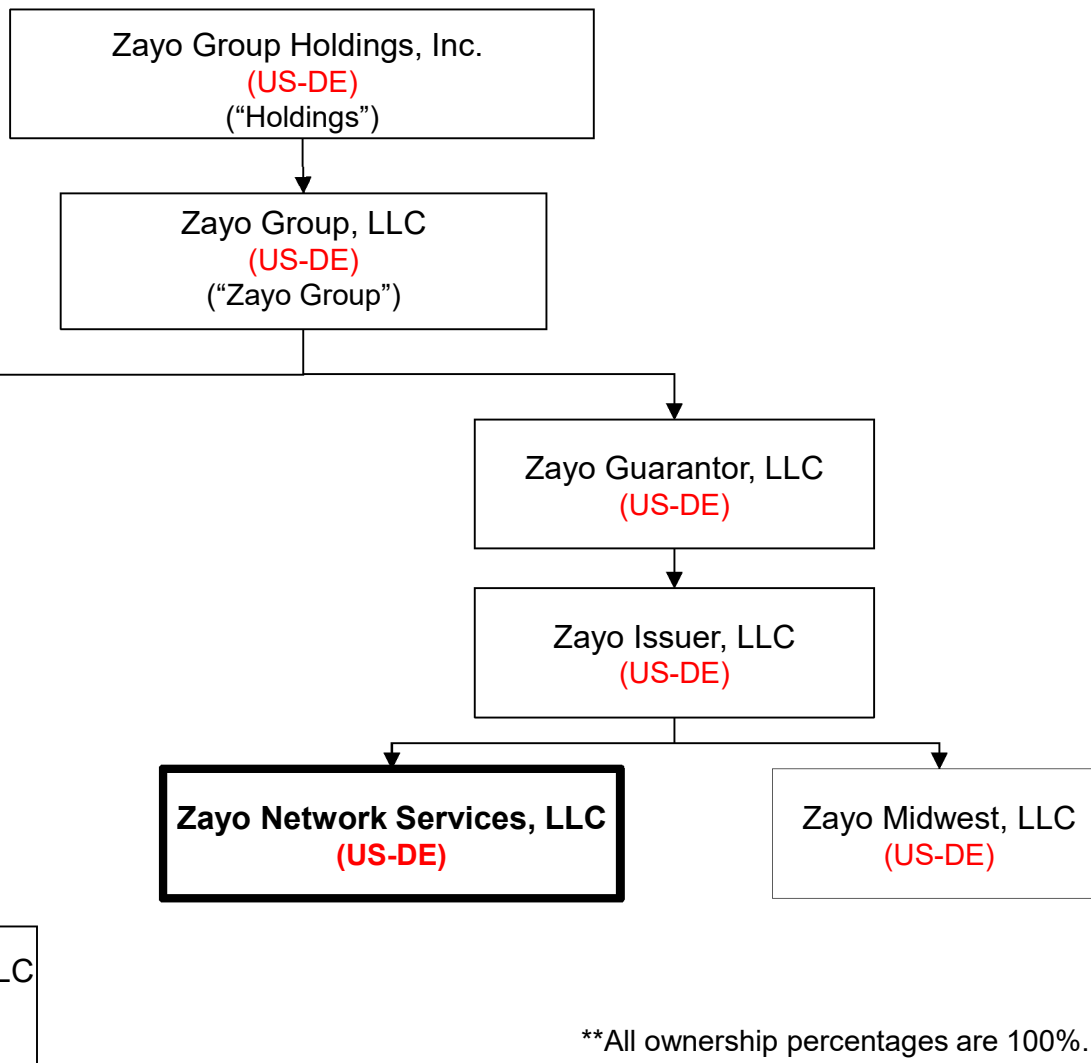
¹² <https://vantagepnt.com/susf/>

¹³ The form is also recognized as "Attachment B" through Vantage Point Solutions.

CORPORATE OWNERSHIP STRUCTURE***(Chart 1)**

(see Chart 2 for Ownership of Holdings)

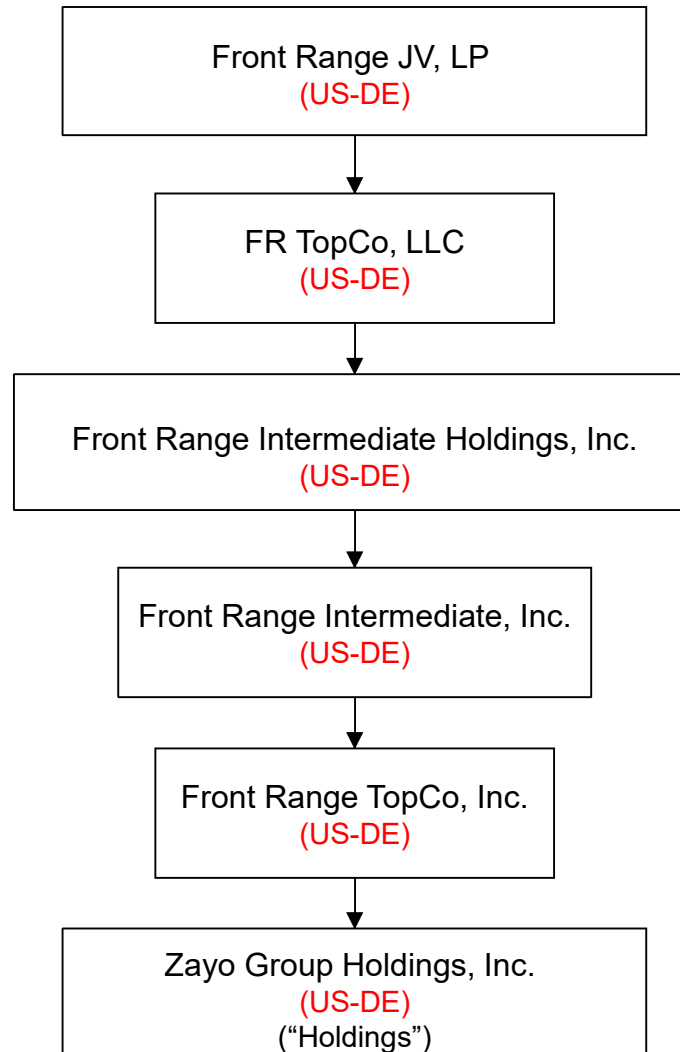
*The entities listed include (i) subsidiaries of Holdings that currently provide or may in the future provide intrastate, interstate or international telecommunications services in the United States, and (ii) those entities in their ownership chain. The chart excludes all other subsidiaries of Holdings.



**All ownership percentages are 100%.

CORPORATE OWNERSHIP STRUCTURE

(Chart 2)



(see Chart 1 for Subsidiaries of Holdings)

**All ownership percentages are 100%.

CERTIFICATE OF SERVICE

26-ZNST-019-COC

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 10/02/2025.

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