

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION
NASHVILLE, TENNESSEE**

October 30, 2025

IN RE:)	
)	
APPLICATION OF ZAYO NETWORK)	DOCKET NO.
SERVICES, LLC FOR A CERTIFICATE OF)	25-00061
CONVENIENCE AND NECESSITY TO)	
PROVIDE COMPETING LOCAL)	
EXCHANGE TELECOMMUNICATIONS)	
SERVICES TELECOMMUNICATION)	
SERVICES IN THE STATE OF TENNESSEE)	

**INITIAL ORDER GRANTING CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY**

This matter came before the Administrative Judge of the Tennessee Public Utility Commission (the “Commission” or “TPUC”) at a Hearing held on October 23, 2025, to consider the *Application of Zayo Network Services, LLC for a Certificate of Convenience and Necessity to Provide Competing Local Exchange Telecommunications Services in the State of Tennessee* (“Zayo,” “Applicant,” or “Company”) on August 14, 2025. In its *Application*, Zayo seeks a Certificate of Public Convenience and Necessity (“CCN”) for authority to provide competing local exchange telecommunications services within the State of Tennessee.

I. LEGAL STANDARD

Zayo’s Application was made in accordance with and is considered in light of the criteria for granting a CCN as set forth in Tenn. Code Ann. § 65-4-201 which provides, in pertinent part:

- (a) No public utility shall establish or begin the construction of, or operate any line, plant, or system, or route in or into a municipality or other territory already receiving a like service from another public utility, or establish service therein, without first having obtained from the commission, after written application and hearing, a certificate that the present or future public convenience and necessity require or will require such construction, establishment, and operation, and no person or corporation not at the time a public utility shall commence the construction of any plant, line,

system, or route to be operated as a public utility, or the operation of which would constitute the same, or the owner or operator thereof, a public utility as defined by law, without having first obtained, in like manner, a similar certificate

* * *

(c) (1) After notice to the incumbent local exchange telephone company and other interested parties and following a hearing, the commission shall grant a certificate of convenience and necessity to a competing telecommunications service provider if after examining the evidence presented, the authority finds:

(A) The applicant has demonstrated that it will adhere to all applicable commission policies, rules and orders; and

(B) The applicant possesses sufficient managerial, financial and technical abilities to provide the applied for services.

* * *

Furthermore, pursuant to Tenn. Code Ann. § 65-5-112, a competing telecommunications provider is required to file with the Commission a small and minority-owned telecommunications business participation plan which provides the provider's plan for purchasing goods and services from small and minority-owned telecommunications businesses and information on programs that might provide technical assistance to such businesses.

II. HEARING ON THE MERITS

In accordance with the requirements of Tenn. Code Ann. § 65-4-204, a public notice of the Hearing in this matter was issued by the Administrative Judge on October 13, 2025, setting the case for Hearing on October 23, 2025. No persons sought intervention prior to or during the Hearing. Ms. Lauren Lantero, Chief Legal Officer of Zayo, appeared at the Hearing and provided testimony.

Ms. Lantero participated in the Hearing, adopting and summarizing her Pre-Filed Testimony with no corrections, revisions, or amendments. Ms. Lantero testified that the Company will comply with all applicable laws, and TPUC rules, policies, and orders and stated that it is in the public interest to grant the *Application*. She also provided a summary of the Company's financial, technical, and managerial qualifications and provided responses to the questions of the Administrative Judge.

The Administrative Judge opened the floor for public comment, but no member of the public sought recognition to comment. Upon conclusion of the presentation of its proof, the Administrative Judge granted Zayo's *Application* based upon the findings of fact and conclusions of law stated herein.

III. FINDINGS AND CONCLUSIONS

A. ZAYO'S QUALIFICATIONS

1. Zayo is a Delaware corporation authorized to do business in the State of Tennessee.
2. The Company's principal office is located at 1401 Wynkoop Street, Suite 500 in Denver, Colorado 80202. The Company's telephone number is (866) 364-6033.
3. The *Application* and information in the record indicate that Zayo has the requisite technical and managerial ability to provide competitive local exchange telecommunications services within the State of Tennessee. Specifically, Zayo's management team possesses extensive business, technical, operational, and regulatory experience in the communications industry.
4. Zayo has the necessary capital and financial ability to provide the services it proposes to offer.
5. Zayo has represented that it will adhere to all applicable statutes, policies, rules, and orders of the Commission.

B. PROPOSED SERVICES

Zayo seeks authority to provide competing local exchange telecommunications services throughout the State of Tennessee, primarily to provide point-to-point telecommunications services such as Ethernet and other similar high-bandwidth circuits, for high-speed data transport.¹ Applicant will provide services to enterprise customers and to other communications providers on a wholesale

¹ *Application*, p. 5 (August 14, 2025).

basis and does not intend to directly serve residential customers. Zayo does not currently own or lease facilities in Tennessee, but rather, will use the communications optical fiber and associated telecommunications equipment assigned by Zayo Group or leased from an affiliate or another provider, but also seeks authority to provide service for resale.²

C. PERMITTING COMPETITION TO SERVE THE PUBLIC CONVENIENCE AND NECESSITY

Zayo's Application and its proposed services would inure to the benefit of the present and future public convenience by permitting competition in the telecommunications services markets in the State and fostering the development of an efficient, technologically advanced statewide system of telecommunications services. *Zayo's* proposed services would also assist in ensuring that persons are able to obtain competitive pricing, increased accountability through reliable and responsive customer service, and advanced technological innovation.

D. SMALL AND MINORITY-OWNED TELECOMMUNICATIONS BUSINESS PARTICIPATION PLAN AND BUSINESS ASSISTANCE PROGRAM

Zayo has filed a satisfactory small and minority-owned telecommunications business participation plan, pursuant to Tenn. Code Ann. § 65-5-112 and the Commission's Rules.

IT IS THEREFORE ORDERED THAT:

1. The *Application of Zayo Network Services, LLC for a Certificate of Convenience and Necessity to Provide Competing Local Exchange Telecommunications Services in the State of Tennessee* filed by Zayo Network Services, LLC, is approved.
2. Any party aggrieved by the Administrative Judge's decision in this matter may file a petition for reconsideration within fifteen (15) days from the date of this Order.

² *Id.* at Exhibit K, Pre-Filed Direct Testimony of Lauren Lantero (August 14, 2025).

3. This Initial Order shall become a Final Order of the Tennessee Public Utility Commission, if no petition for reconsideration or appeal of this Order is filed prior to the expiration of the fifteen (15) day appeal period.



Monica Smith-Ashford, Administrative Judge