

Decision PROPOSED DECISION OF ALJ BARNETT (Mailed 2/15/2013)

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Understanding Behavior, Inc.,

Complainant,

vs.

Cbeyond Communications, LLC (U6446C),

Defendant.

Case 12-08-013  
(Filed August 15, 2012)

No Appearance for Complainant.  
Anita Taff-Rice, for Defendant.

**DECISION DISMISSING THE COMPLAINT**

On the duly noticed date for hearing, Understanding Behavior, Inc., Complainant, did not appear. Defendant moved to dismiss for lack of prosecution. This motion is granted.

**Comments on Proposed Decision**

The proposed decision of the Administrative Law Judge (ALJ) in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. No reply comments were filed.

**Assignment of Proceeding**

Catherine J.K. Sandoval is the assigned Commissioner and Robert Barnett is the assigned ALJ in this proceeding.

**O R D E R**

**IT IS ORDERED** that:

1. It is ordered that Case 12-08-013, Understanding Behavior, Inc., vs. Cbeyond Communications, LLC, is dismissed for lack of prosecution.
2. Case 12-08-013 is closed.

This order is effective today.

Dated \_\_\_\_\_, at San Diego, California.