



**FILED**

08-15-12

04:06 PM

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

Understanding Behavior, Inc.,

Complainant

(C.) \_\_\_\_\_

**C1208013**

vs.

Cbeyond Communications, LLC  
(U6446C),

Defendant

Complaint

ADDITIONAL EXHIBITS

COMPLAINANT	DEFENDANT
Understanding Behavior, Inc. Attn: Dr. Juve Vela 744 Montgomery St., Suite 400 San Francisco CA 94111 T-415-989-5000 Email: <a href="mailto:contactubi@understandingbehavior.com">contactubi@understandingbehavior.com</a>	Cbeyond Communications, LLC (U6446C) Attn: Kristin Crawford 320 Interstate North Parkway St., Suite 300 Atlanta GA 30339 T-678-370-2327 Email: <a href="mailto:Kristin.crawford@cbeyond.com">Kristin.crawford@cbeyond.com</a>

notified that any dissemination, distribution or copying of this communication is strictly prohibited and may subject you to civil action and/or criminal prosecution.

If you have have received this communication in error, please notify us by replying to the message and deleting it from your computer or phone and any network to which your computer or phone is connected. Thank you.

**Subject:** Cbeyond Customer: News about Your Cbeyond Service Request 1-1998661676  
**From:** donotreply@cbeyond.net (donotreply@cbeyond.net)  
**To:** kathleenkarimi@understandingbehavior.com;  
**Date:** Monday, April 23, 2012 12:15 PM

Dear Kathleen Karimi:

Your recent Service Request 1-1998661676 for Understanding Behavior Inc. (UBI) has been resolved by Cbeyond Customer Support.

These are the resolution notes regarding this ticket:

**It was a pleasure speaking with you today. I was happy to assist you with the call forwarding feature you inquired about. You can set up all your call forwarding requirements through Cbeyondonline.net by going to the local call forwarding menu. If you have any additional questions regarding your account, please visit us online at Cbeyondonline.net.**

**Please do not respond to this ticket for any new requests as this is an automated tool.**

Go to [www.cbeyondonline.net](http://www.cbeyondonline.net) > Support > My Requests to open any new Requests/Troubles.

Cbeyond Customer Support

**Subject:** Cbeyond Customer: News about your Cbeyond Request 1-1981718063  
**From:** donotreply@cbeyond.net (donotreply@cbeyond.net)  
**To:** kathleenkarimi@understandingbehavior.com;  
**Date:** Tuesday, April 24, 2012 1:50 PM

Dear Kathleen Karimi:

Your recent Request 1-1981718063 for Understanding Behavior Inc. (UBI) has been updated by Cbeyond Customer Support.

These are the updated notes regarding this ticket:

Kathleen,

Please call Carter@ Cbeyond to go over your current service issues.

Sincerely,

Carter Berkeley  
CBeyond  
678 391 6654

Please do not respond to this ticket for any new requests as this is an automated tool.

Go to [www.cbeyondonline.net](http://www.cbeyondonline.net) > Support > My Requests to update 1-1981718063 with comments or questions.

Cbeyond Customer Support

**Subject:** Cbeyond Customer: News about your Cbeyond request 1-2001326562  
**From:** CbeyondTech.Support@cbeyond.net (CbeyondTech.Support@cbeyond.net)  
**To:** kathleenkarimi@understandingbehavior.com;  
**Date:** Wednesday, April 25, 2012 11:44 AM

Dear Kathleen Karimi:

Your recent Trouble Ticket 1-2001326562 for Understanding Behavior Inc. (UBI) has been updated by Cbeyond Technical Support.

These are the updated notes regarding this ticket:

Thank you for contacting Cbeyond technical support. It was a pleasure assisting you today!

If you have any other Issues, or have any additional questions, by all means, feel free to contact us via [www.cbeyondonline.net](http://www.cbeyondonline.net) or call us at 866-424-5100 for assistance or by emailing us at [tech.support@cbeyond.net](mailto:tech.support@cbeyond.net) and including your account number and preferred contact method in the email.

Thank you for being the best part of Cbeyond.

Best Regards  
Cindy S  
Cbeyond Tech Support

Please do not respond to this email for any new requests as this is an automated tool.

Go to [www.cbeyondonline.net](http://www.cbeyondonline.net) > Support > My Requests to update 1-2001326562 with comments or questions.

Using CbeyondOnline to submit or update your Customer Support Requests/Troubles is the fastest way to communicate with us. These "on-line" requests are entered directly into our systems and worked in priority status by our agents.

Cbeyond Technical Support

**Subject:** Re: Request for confirmation  
**From:** Kathleen Karimi (kathleenkarimi@understandingbehavior.com)  
**To:** carter.berkeley@cbeyond.net;  
**Date:** Thursday, April 26, 2012 8:56 AM

Carter,

You are the professional, you tell me.

Kathleen Karimi  
Director of Development

Understanding Behavior  
744 Montgomery St suite 400  
San Francisco CA 94111

415.989.5000 office 415.366.1683 fax

[www.understandingbehavior.com](http://www.understandingbehavior.com)

Please "like" us on Facebook! <http://on.fb.me/HA5e9I>

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---

**From:** Carter Berkeley <carter.berkeley@cbeyond.net>  
**To:** Kathleen Karimi <kathleenkarimi@understandingbehavior.com>  
**Sent:** Thursday, April 26, 2012 8:51 AM  
**Subject:** RE: Request for confirmation

Kathleen, are you saying that the phones themselves may be defective?

Carter Berkeley | Customer Assurance | CBeyond

320 INTERSTATE NORTH PARKWAY - ATLANTA, GEORGIA 30339 | TEL: ( 678 ) 391- 6654 | FAX: 770 874 6018

---

**From:** Kathleen Karimi [mailto:kathleenkarimi@understandingbehavior.com]

**Sent:** Thursday, April 26, 2012 11:47 AM  
**To:** Carter Berkeley  
**Subject:** Re: Request for confirmation

Carter:

Yes, the tech arrived and made some tweaks to our phones. There were no technical problems with the lines/connection to report.... Thus, our issues must be the result of the service itself.

We are still experiencing issues with our telephones. This morning we attempted to transfer an important business call to one of our office extensions and received an audio error message stating that there was a problem with the call forwarding function. The call was then disconnected.

Yesterday evening after the tech left, we observed our main telephone flashing red and it had to be restarted prior to use.

**This is absolutely unacceptable.**

I expect that we'll be compensated for the constant lack of service, which has resulted in a significant loss of productivity for our business.

You should also be aware that we've done extensive research into our options for replacing our Cbeyond service and have identified several reputable providers that offer the same service bundle for half the price.

If I do not receive satisfactory follow-up to this e-mail, I will escalate the complaint myself.

Kathleen Karimi  
Director of Development

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**From:** Carter Berkeley <carter.berkeley@cbeyond.net>  
**To:** "kathleenkarimi@understandingbehavior.com" <kathleenkarimi@understandingbehavior.com>  
**Sent:** Thursday, April 26, 2012 6:02 AM  
**Subject:** Request for confirmation

Kathleen,

Just checking in to see if :

- A. The Tech was on site yesterday to fix the SIP phone issues and
- B.If the Tech fixed the issues and there are no further issues at this time.

Sincerely,

Carter Berkeley | Customer Assurance | CBeyond

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**Subject:** RE: Request for confirmation  
**From:** Carter Berkeley (carter.berkeley@cbeyond.net)  
**To:** kathleenkarimi@understandingbehavior.com;  
**Date:** Thursday, April 26, 2012 8:54 AM

The people that sold the phones and the service techs have been notified of the on going problems. I have asked the Phone people to check into giving you new phones. It appears that if you are having problems with the phone functions themselves, then my guess is the physical phones may need to be replaced.

Sincerely,

Carter Berkeley | Customer Assurance | CBeyond

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Kathleen Karimi  
Director of Development

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**From:** Carter Berkeley <[carter.berkeley@cbeyond.net](mailto:carter.berkeley@cbeyond.net)>  
**To:** "kathleenkarimi@understandingbehavior.com" <[kathleenkarimi@understandingbehavior.com](mailto:kathleenkarimi@understandingbehavior.com)>  
**Sent:** Thursday, April 26, 2012 6:02 AM  
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Sincerely,

Carter Berkeley | Customer Assurance | CBeyond

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**Subject:** Re: Cbeyond tech on site  
**From:** Kathleen Karimi (kathleenkarimi@understandingbehavior.com)  
**To:** Kevin.Head@cbeyond.net;  
**Date:** Thursday, April 26, 2012 8:50 AM

Kevin,

Yes, the tech arrived and made some tweaks to our phones. There were no technical problems with the lines/connection to report.... Thus, our issues must be the result of the service itself.

We are still experiencing issues with our telephones. This morning we attempted to transfer an important business call to one of our office extensions and received an audio error message stating that there was a problem with the call forwarding function. The call was then disconnected.

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Kathleen Karimi  
Director of Development

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---

**From:** Kevin Head <Kevin.Head@cbeyond.net>  
**To:** "kathleenkarimi@understandingbehavior.com" <kathleenkarimi@understandingbehavior.com>  
**Sent:** Wednesday, April 25, 2012 4:43 PM

**Subject:** Cbeyond tech on site

Mrs.Karimi,

I spoke with the tech on site and we have made some changes on the phones and in the pbx to help correct this issue. Please let me know some time at the end of day if you encounter any more problems with the phones going orange, thank you ma'am for your patience in this matter.

Thanks,  
Kevin.

**Subject:** Re: Request for confirmation  
**From:** Kathleen Karimi (kathleenkarimi@understandingbehavior.com)  
**To:** carter.berkeley@cbeyond.net;  
**Date:** Thursday, April 26, 2012 8:47 AM

Carter:

Yes, the tech arrived and made some tweaks to our phones. There were no technical problems with the lines/connection to report.... Thus, our issues must be the result of the service itself.

We are still experiencing issues with our telephones. This morning we attempted to transfer an important business call to one of our office extensions and received an audio error message stating that there was a problem with the call forwarding function. The call was then disconnected.

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Kathleen Karimi  
Director of Development

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**To:** "kathleenkarimi@understandingbehavior.com" <kathleenkarimi@understandingbehavior.com>  
**Sent:** Thursday, April 26, 2012 6:02 AM  
**Subject:** Request for confirmation

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- B.If the Tech fixed the issues and there are no further issues at this time.

Sincerely,

Carter Berkeley | Customer Assurance | CBeyond

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**Subject:** Fw: Cbeyond Customer: News about your Cbeyond request 1-2002152215  
**From:** Nina Wobbrock (ninawobbrock@understandingbehavior.com)  
**To:** kathleenkarimi@understandingbehavior.com;  
**Date:** Thursday, April 26, 2012 8:40 AM

Nina Wobbrock  
AP/AR Coordinator  
Understanding Behavior, Inc.  
744 Montgomery St., Ste. 400  
San Francisco, CA 94111  
Office: 415-989-5000 - Direct: 415-341-9951  
Fax: 415-989-5001

[www.understandingbehavior.com](http://www.understandingbehavior.com)

— Forwarded Message —

**From:** "CbeyondTech.Support@cbeyond.net" <CbeyondTech.Support@cbeyond.net>  
**To:** ninawobbrock@understandingbehavior.com  
**Sent:** Thursday, April 26, 2012 8:39 AM  
**Subject:** Cbeyond Customer: News about your Cbeyond request 1-2002152215

Dear Nina Wobbrock:

Your recent Trouble Ticket 1-2002152215 for Understanding Behavior Inc. (UBI) has been updated by Cbeyond Technical Support.

These are the updated notes regarding this ticket:

Nina,

Thank you for contacting Cbeyond technical support. It was a pleasure assisting you today. As per our conversation, I have checked the setting on the PBX, and it looks like everything was working properly. I rebooted the PBX to resolve your issue.

If you encounter any further issues, or have any additional questions, by all means, feel free to contact us at 866-424-5100 for assistance. Thank you for being the best part of Cbeyond!

Best Regards!  
Jarrett

Please do not respond to this email for any new requests as this is an automated tool.

Go to [www.cbeyondonline.net](http://www.cbeyondonline.net) > Support > My Requests to update 1-2002152215 with comments or questions.

Using CbeyondOnline to submit or update your Customer Support Requests/Troubles is the fastest way to communicate with us. These "on-line" requests are entered directly into our systems and worked in priority

status by our agents.

Cbeyond Technical Support

**Subject:** Fw: Cbeyond Customer: News about your Cbeyond request 1-2002152215  
**From:** Nina Wobbrock (ninawobbrock@understandingbehavior.com)  
**To:** kathleenkarimi@understandingbehavior.com;  
**Date:** Thursday, April 26, 2012 8:40 AM

Nina Wobbrock  
*AP/AR Coordinator*  
*Understanding Behavior, Inc.*  
*744 Montgomery St., Ste. 400*  
*San Francisco, CA 94111*  
*Office: 415-989-5000 - Direct: 415-341-9951*  
*Fax: 415-989-5001*

*www.understandingbehavior.com*

— Forwarded Message —

**From:** "CbeyondTech.Support@cbeyond.net" <CbeyondTech.Support@cbeyond.net>  
**To:** ninawobbrock@understandingbehavior.com  
**Sent:** Thursday, April 26, 2012 8:39 AM  
**Subject:** Cbeyond Customer: News about your Cbeyond request 1-2002152215

Dear Nina Wobbrock:

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**Subject:** Fw: Cbeyond Customer: News about your Cbeyond request 1-2002152215  
**From:** Kathleen Karimi (kathleenkarimi@understandingbehavior.com)  
**To:** carter.berkeley@cbeyond.net;  
**Date:** Thursday, April 26, 2012 9:16 AM

Carter,

If the issue was the phones, why would the PBX have to be rebooted to resolve the call forward issue we had this morning? Please see below.

Thank you,

Kathleen

— Forwarded Message —

**From:** "CbeyondTech.Support@cbeyond.net" <CbeyondTech.Support@cbeyond.net>  
**To:** ninawobbrock@understandingbehavior.com  
**Sent:** Thursday, April 26, 2012 8:39 AM  
**Subject:** Cbeyond Customer: News about your Cbeyond request 1-2002152215

Dear Nina Wobbrock:

Your recent Trouble Ticket 1-2002152215 for Understanding Behavior Inc. (UBI) has been updated by Cbeyond Technical Support.

These are the updated notes regarding this ticket:

Nina,

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If you encounter any further issues, or have any additional questions, by all means, feel free to contact us at 866-424-5100 for assistance. Thank you for being the best part of Cbeyond!

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Cbeyond Technical Support

**Subject:** Fw: Cbeyond Update  
**From:** Kathleen Karimi (kathleenkarimi@understandingbehavior.com)  
**To:** kathleenkarimi@understandingbehavior.com;  
**Date:** Friday, April 27, 2012 2:27 PM

— Forwarded Message —

**From:** Kathleen Karimi <kathleenkarimi@understandingbehavior.com>  
**To:** Juve Vela <juvevela@understandingbehavior.com>; Rob Levine <roblevine@understandingbehavior.com>  
**Sent:** Wednesday, April 11, 2012 8:59 AM  
**Subject:** Re: Cbeyond Update

Good Morning,

As expected, we did not receive the 8am follow-up call we were promised from Cbeyond. I phoned myself to follow-up and was transferred to a Customer Assurance Rep, Carter Berkeley (678-391-6654). I explained all of our difficulties from launch date on. I reminded Carter of Cbeyond's 99% up-time guarantee and pointed out that we have made numerous calls, all of which are document and were unresolved... I told him that we would like to be compensated for our lost productivity and that we would be terminating with Cbeyond if we were not satisfied with what they offered us. I informed him that I spent the day on the phone with Cbeyond competitors, who were offering a similar service for half the price. Carter agreed that there could be compensation made and escalated the call to Tier 3 Management. He apparently cannot make decisions about these things. He also said that we should not have been sold phones by a Cbeyond representative. I informed him that John Plotz recommended the equipment / facilitated the sale. He recommended that John come out to our office with a tech to test our T-line, reporting this could be the source of our problem. We have not had a tech out to our building since install.

We signed a three year contract. Early termination charges are \$699 for every month for the remainder of year 1, 2/3 this price per month for year 2, and 1/2 this price for year 3. I can see what they will offer us, but at this point I think we'll be wasting our money either way.

Thanks

Kathleen Karimi  
Director of Development

Understanding Behavior  
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San Francisco CA 94111

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**Subject:** Re: Router  
**From:** Kathleen Karimi (kathleenkarimi@understandingbehavior.com)  
**To:** kevin.head@cbeyond.net;  
**Date:** Friday, April 27, 2012 2:23 PM

Hi Kevin,

I just wanted to follow-up with you as I've not heard back from you after troubleshooting the router this morning. Were you able to get in touch with Rowan Thomson? If so, is there any further testing that needs to be done to our router? Please let me know if you plan to send a tech out.

Thank you,

Kathleen Karimi  
Director of Development

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**Subject:** Re: Request for confirmation  
**From:** Kathleen Karimi (kathleenkarimi@understandingbehavior.com)  
**To:** carter.berkeley@cbeyond.net;  
**Date:** Friday, April 27, 2012 2:25 PM

Hi Carter,

Just wanted to follow-up with you as I've not heard back regarding our equipment. What was the result of your conversation with the individuals who sold us our equipment / techs?

Kathleen Karimi  
Director of Development

Understanding Behavior  
744 Montgomery St suite 400  
San Francisco CA 94111

415.989.5000 office 415.366.1683 fax

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**To:** Kathleen Karimi <kathleenkarimi@understandingbehavior.com>  
**Sent:** Thursday, April 26, 2012 8:54 AM  
**Subject:** RE: Request for confirmation

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**To:** Carter Berkeley  
**Subject:** Re: Request for confirmation

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If I do not receive satisfactory follow-up to this e-mail, I will escalate the complaint myself.

Kathleen Karimi  
Director of Development

Understanding Behavior  
744 Montgomery St suite 400  
San Francisco CA 94111

415.989.5000 office 415.366.1683 fax

[www.understandingbehavior.com](http://www.understandingbehavior.com)

Please "like" us on Facebook! <http://on.fb.me/HA5e9I>

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If you have have received this communication in error, please notify us by replying to the message and deleting it from your computer or phone and any network to which your computer or phone is connected. Thank you.

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**From:** Carter Berkeley <carter.berkeley@cbeyond.net>  
**To:** "kathleenkarimi@understandingbehavior.com" <kathleenkarimi@understandingbehavior.com>  
**Sent:** Thursday, April 26, 2012 6:02 AM  
**Subject:** Request for confirmation

Kathleen,

Just checking in to see if :

- A. The Tech was on site yesterday to fix the SIP phone issues and
- B.If the Tech fixed the issues and there are no further issues at this time.

Sincerely,

Carter Berkeley | Customer Assurance | CBeyond

320 INTERSTATE NORTH PARKWAY - ATLANTA, GEORGIA 30339 | TEL: ( 678 ) 391- 6654 | FAX: 770 874 6018