

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



**FILED**

05-26-10  
04:59 PM

Order Instituting Rulemaking for the Purpose of Reviewing and Potentially Amending General Order 156 and to Consider Other Measures to Promote Economic Efficiencies of an Expanded Supplier Base and to Examine the Composition of the Utilities' Workforce.

Rulemaking 09-07-027  
(Filed July 30, 2009)

**RESPONSE OF CBeyond COMMUNICATIONS, LLC (U-6446-C),  
ON ASSIGNED COMMISSIONER AND ADMINISTRATIVE LAW JUDGE  
SCOPING MEMO AND RULING DETERMINING THE SCOPE, SCHEDULE,  
AND NEED FOR HEARING IN THIS PROCEEDING**

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Counsel for Cbeyond Communications, LLC

Dated: May 26, 2010

Cbeyond Communications, LLC (U-6446-C) (“Cbeyond”) hereby submits its response to two questions posed in the March 17, 2010 Assigned Commissioner and Administrative Law Judge Scoping Memo and Ruling Determining the Scope, Schedule, and Need for Hearing in This Proceeding (“Ruling”). The Commission seeks information about possible interim steps utilities could take to increase participation of women, minority, and disabled veteran-owned business enterprises in their private procurement programs.

Cbeyond responds to the two questions posed in the Ruling as follows:

**1. Identify specific one-year and two-year interim steps (e.g., increase MBE spend by 10% per year) you aspire to achieve in 2011 and 2012 in furtherance of your commitment to the target goals of GO 156. Include not only steps towards growth in WBEs, MBEs, and DVBEs, but also any subgroup or procurement category which you have identified as particularly under-utilized by your company's procurement team (e.g., increase spend by 5% per year on minority disabled veteran suppliers, create a program for mentoring financial services suppliers, etc.).**

Cbeyond appreciates and supports the Commission’s effort to increase participation by qualified women, minority and disabled veteran vendors. Cbeyond currently uses such vendors when possible, and it will continue to do so when such certified vendors submit competitive bids to provide services to Cbeyond. Given the competitive nature of the telecommunications industry, and the current economic environment, however, Cbeyond awards contracts to those vendors who submit the most cost effective bids. Cbeyond has no specific plan in place to hire women, minority and/or disabled veteran contractors based solely on that criterion.

**2. Is there any specific assistance you want to better advance your aspirations of achieving the identified interim steps for any procurement category or DBE group?**

Cbeyond believes that it might be useful for the Commission to compile and provide to utilities a list of certified women, minority and disabled veteran vendors, identifying the specific services or goods that they provide. Such a list could assist utilities in more readily identifying

qualified vendors for a specific contracting need, rather than attempting to review the entire Clearinghouse database of women, minority and disabled veteran vendors.

Signed and dated: May 26, 2010 at Walnut Creek, California

Respectfully submitted,

/s/Anita Taff-Rice

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**CERTIFICATE OF SERVICE**

I certify that I have by electronic mail this day served a true copy of the original document entitled:

**RESPONSE OF CBeyond COMMUNICATIONS, LLC (U-6446-C),  
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on all parties of record in this proceeding or their attorneys of record via email. Electronic service is made pursuant to Rule 1.10 of the Commission's Rules of Practice and Procedure. Service Any party for whom an email was unavailable was served via U.S. Mail.

Signed and dated: May 26, 2010, at Walnut Creek, California.

/s/Anita Taff-Rice

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