



Control Number: 30238



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Public Utility Commission of Texas
1701 N. Congress Avenue
Austin, TX 78711-3326

Re: 2009 (HUB) Historically Underutilized Business & Workforce Diversity Reports
Docket / Project Nos. #30238 and #30240

Dear Sir or Madam:

Please be advised that during the four quarters previous to September 30, 2009 the
aforementioned company had less than 16 employees in the State of Texas.

Therefore, our client is exempt from filing a Workforce and Supplier Diversity Form
pursuant to 16 Tex. Admin. Code §26.85(d).

If you have any questions about this filing, please contact David Weidenborner at (770)956 7525
Extension 1513:

Sincerely,

Susan Cockerham

WORKFORCE AND SUPPLIER DIVERSITY FORM **WORKFORCE DIVERSITY**

Occupational Categories		NUMBER OF TEXAS FULL-TIME EMPLOYEES FOR REPORTING YEAR													
		Combined Total		Company Totals		Caucasian		African American		Hispanic		Asian		American Indian	
				Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Officials and Managers		8	6	2	6	1									
Professionals		7	4	3	3	2	1			1					
Technicians		17	5	8	1	2		4	4	2					
Sales Workers		138	81	54	66	49	7	1	8	4					
Office and Clerical		2	0	1		1									
Craft Workers (Skilled)		0	0	0											
Operatives (Semi-skilled)		0	0	0											
Laborers (Unskilled)		0	0	0											
Service Workers		0	0	0											
Previous Year Totals		0	0	0											
This Year Totals		164	96	68	76	55	8	6	12	7	0	0	0	0	0

NOTE: Double-click on embedded Excel chart to open. Click on a cell or use arrow keys to select an occupational category and ethnic group to update workforce diversity numbers. Do not enter information in Combined Total and Company Totals columns or the This Year Totals row as these will update automatically. Cells left blank will be counted as zero. Click anywhere outside of chart to exit.

WORKFORCE AND SUPPLIER DIVERSITY FORM
HUB/SMALL BUSINESS PROCUREMENT AS A PERCENTAGE OF TOTAL COMPANY PROCUREMENT

Actual % = [Total HUB(1) procurement + Total Small Business(2) procurement]/Total Company procurement		Actual % for Previous FY	Actual % for Current FY	Percentage Change
Construction Contracts (3)				%
Commodities Contracts (4)				%
Other Services (5)				%
Professional Services Contracts (6)				%
Major Equipment (7)				%
Other (8)				%

(1) **HUB** -- Pursuant to Texas Government Code § 481.191(4), HUB means: (A) a corporation formed for the purpose of making a profit in which at least 51 percent of all classes of the shares of stock or other equitable securities is owned by one or more persons who are members of certain groups, including black Americans, Hispanic Americans, women, Asian Pacific Americans, and American Indians; (B) a sole proprietorship formed for the purpose of making a profit that is 100 percent owned, operated, and controlled by a person described by Paragraph (A) of this subdivision; (C) a partnership formed for the purpose of making a profit in which 51 percent of the assets and interest in the partnership is owned by one or more persons described by Paragraph (A) of this subdivision. Those persons must have proportionate interest and demonstrate active participation in the control, operation, and management of the partnership's affairs; or (D) a joint venture in which each entity in the joint venture is a historically underutilized business under this subdivision.

(2) **Small Business** -- Pursuant to Texas Government Code § 481.191(6), Small Business means a corporation, partnership, sole proprietorship, or other legal entity that: (A) is domiciled in this state; (B) is formed to make a profit; (C) is independently owned and operated; and (D) employs fewer than 100 full-time employees.

(3) **Construction** -- Construction done by general contractors and special trade contractors which includes new work, additions, alterations, reconstruction, installations, repairs, remodeling, renovating, and repair of office buildings. Heavy construction other than buildings such as pipelines, communication and power lines, sewer and water mains, asphalt and concrete construction of roads, trenching, cable laying, conduit construction, land clearing and leveling.

(4) **Commodities** -- All materials, goods or tangibles purchased to conduct business, not including fuel or purchased power contracts and major equipment purchases and rentals.

(5) **Others Services** -- All specialty work, special circumstances that required contract labor, special consultants or other non-defined services. Examples include audio/visual, staffing services, landscaping, forestry, tree trimming, art and decorative services, janitorial, travel/lodging, automotive repair, and photography.

(6) **Professional Services** -- Contracted professional services which include legal, consulting, health, engineering, accounting, advertising/marketing, architectural, real estate, computer services, research and analysis, education/training, insurance, surveying services, weather services, environmental, financial, etc.

(7) **Major Equipment** -- Includes all major equipment purchases and rentals including but not limited to transmission and distribution equipment, power plant equipment, substation equipment, heavy construction equipment, fleet requirements, etc.

(8) **Other** -- Any commodity or service not covered by the above categories.

WORKFORCE AND SUPPLIER DIVERSITY FORM
COMPANY INITIATIVES

- (1) Describe the specific initiatives, programs, and activities undertaken under the plan during the preceding year:

**WORKFORCE AND SUPPLIER DIVERSITY FORM
COMPANY INITIATIVES**

- (2) **Make an assessment of the success of each of the specific initiatives, programs, and activities listed above:**

Cbeyond is an equal opportunity employer, and our normal hiring practices produce a diverse workforce

- (3) **Describe the initiatives, programs, and activities the utility will pursue during the next year to increase the diversity of its workforce and contracting opportunities for small and historically underutilized businesses:**

Cbeyond is an equal opportunity employer, and our normal hiring practices—which we will continue to follow in the coming year—produce a diverse workforce. We do not expect to generate any contracting opportunities in Texas in 2008 for any businesses and—accordingly—are not designing any initiatives, programs or activities to increase contracting opportunities for small and historically underutilized businesses.

**WORKFORCE AND SUPPLIER DIVERSITY FORM
COMPANY INITIATIVES**

(4) State the specific progress made under the plan filed by the utility:

Cbeyond is an equal opportunity employer, and our normal hiring practices produce a diverse workforce.