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Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, MB Docket No. 11-43

On June 30, 2017, Stephanie Podey and I, of NCTA – The Internet & Television Association, spoke by telephone with Robin Colwell, Chief of Staff to Commissioner Michael O’Rielly regarding the above-captioned proceeding.

We noted NCTA’s support for an increase in the number of video-described hours on the top five non-broadcast networks to 87.5 hours. We pointed out, however, that some of the most highly-rated cable programmers provide many hours of video-described programming that may not count toward compliance with the proposed rules since it is re-aired more than once. In addition, cable programmers subject to the rules may provide a significant block of live or near live programming that is not appropriate for video description. Under the circumstances, it is foreseeable that cable program networks would not be able to reach the 87.5 hour threshold with video-described programming that could be counted toward compliance under the rules.

Accordingly, for the reasons described in our written comments in this proceeding, we proposed that the Commission provide additional flexibility in its rules – either through providing a safe harbor or an appropriately-framed exemption – so that cable networks are not required to seek permission in the form of a waiver in order to provide their regularly-scheduled programming.

In addition, we discussed the need for a reasonable deadline to provide the increased hours of video-described programming. Because the Commission will engage in its next update of the top five cable networks in 2018, we proposed that the rules establish a deadline of July, 2018, which tracks that reevaluation.

Respectfully submitted,

/s/ Diane B. Burstein

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cc: Robin Colwell