

Before the
Federal Communications Commission
Washington, DC

In the Matter of:)
Closed Captioning of Internet)
Protocol-Delivered Video)
Programming: Implementation)
of the Twenty-First Century) MB Docket No. 11-154
Communications and Video)
Accessibility Act of 2010)
Closed Captioning of Internet)
Protocol-Delivered Video Clips)

Reply Comments of

Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI)
National Association of the Deaf (NAD)
Hearing Loss Association of America (HLAA)
Association of Late-Deafened Adults (ALDA)
Cerebral Palsy and Deaf Organization (CPADO)
Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN)
California Coalition of Agencies Serving the
Deaf and Hard of Hearing (CCASDHH)
American Association of the Deaf-Blind (AADB)
Speech Communication Assistance by Telephone (SCT)
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via electronic filing
Nov. 3, 2014

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Summary

Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI), the National Association of the Deaf (NAD), the Hearing Loss Association of America (HLAA), the Association of Late-Deafened Adults (ALDA), the Cerebral Palsy and Deaf Organization (CPADO), the Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN), the California Coalition of Agencies Serving the Deaf and Hard of Hearing (CCASDHH), the American Association of the Deaf-Blind (AADB), and Speech Communication Assistance by Telephone (SCT), collectively, “Consumer Groups,” and the Technology Access Program at Gallaudet University (TAP) support the Commission’s continued attention to ensuring equal access to IP-delivered video clips. In our comments on the Commission’s second *FNPRM*, we urged the Commission to:

- Require third-party distributors to render captions for video clips;
- Phase out and eventually sunset grace periods for posting live and near-live programming with captions;
- Require captioning for clips within “mashups” of programming that have been shown or exhibited on television with captions; and
- Ensure that programmers cannot avoid captioning obligations simply by posting clips online in advance of showing them on television.

The record in the proceeding supports adopting each of these approaches. In addition to support from the Maryland Governor’s Office of the Deaf and Hard of Hearing (ODHH), only two industry commenters asserted contrary views. Because the arguments advanced by industry commenters are largely conjectural, conclusory, and non-representative of other entities subject to the Commission’s captioning rules, we urge the Commission to reject them and adopt the course of action outlined in our comments.

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Discussion

Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI), the National Association of the Deaf (NAD), the Hearing Loss Association of America (HLAA), the Association of Late-Deafened Adults (ALDA), the Cerebral Palsy and Deaf Organization (CPADO), the Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN), the California Coalition of Agencies Serving the Deaf and Hard of Hearing (CCASDHH), the American Association of the Deaf-Blind (AADB), and Speech Communication Assistance by Telephone (SCT), collectively, "Consumer Groups," and the Technology Access Program at Gallaudet University (TAP), respectfully reply to comments on the Commission's *Second FNPRM* in the above-referenced docket.¹

As we noted in our comments on the *Second FNPRM*, the Commission should require third-party distributors to render or pass through captions for video clips; to phase out and eventually sunset grace periods for posting live and near-live programming with captions; to require captioning for clips within "mashups" of programming that have been shown or exhibited on television with captions; and to ensure that programmers cannot avoid captioning obligations simply by posting clips online in advance of showing them on television.²

The record developed in other comments on the *Second FNPRM* supports adopting these approaches. In particular, the Maryland Governor's Office of the Deaf and Hard of

¹ *Closed Captioning of Internet Protocol-Delivered Video Programming and Video Clips, Second Order on Reconsideration and Second Further Notice of Proposed Rulemaking*, 29 FCC Rcd. 8687 (July 14, 2014) ("*Second Recon Order*" & "*Second FNPRM*").

² *Comments of TDI, et al.*, MB Docket No. 11-154 (Oct. 6, 2014) ("*Consumer Groups Comments*"), available at <http://apps.fcc.gov/ecfs/document/view?id=60000871651>.

Hearing (ODHH) urges an approach largely consistent with the one we propose.³ The National Association of Broadcasters (NAB) also “strongly supports increasing accessibility of broadcast content to all individuals, including those deaf and hard-of-hearing,” and the National Cable & Telecommunications Association (NCTA) “shares the goal of increasing the amount of captioned online video clips.”⁴

Moreover, the objections to our approaches raised by NAB and NCTA are unavailing. Because no other industry representative commented, we urge the Commission to act quickly to ensure that video clips are fully accessible to Americans who are deaf or hard of hearing, consistent with Congress’s intent in enacting the Twenty-First Century Communications and Video Accessibility Act of 2010 (“CVAA”).

I. The record supports requiring third-party video providers to deliver video clips with captions.

In our comments, we urged the Commission to require third-party distributors to provide captioning on the same terms that the IP captioning rules require for full-length programming.⁵ Indeed, no commenter seriously disputes the immense public benefits of ensuring that consumers who are deaf or hard of hearing can access IP-delivered video clips on equal terms through the provider of their choice—or at all, in cases where no first-party provider exists.⁶

³ *Comments of the Maryland Governor's Office of the Deaf and Hard of Hearing*, MB Docket No. 11-154 (Oct. 6, 2014) (“*ODHH Comments*”), available at <http://apps.fcc.gov/ecfs/document/view?id=60000871540>.

⁴ See *Comments of NAB*, MB Docket No. 11-154, at Executive Summary 1 (Oct. 6, 2014) (“*NAB Comments*”), available at <http://apps.fcc.gov/ecfs/document/view?id=60000871568>; *Comments of NCTA*, MB Docket No. 11-154, at 2 (Oct. 6, 2014) (“*NCTA Comments*”), available at <http://apps.fcc.gov/ecfs/document/view?id=60000871595>.

⁵ *Consumer Groups Comments* at 4-7.

⁶ See *id.* at 5-6.

Moreover, no individual third-party provider even filed comment or raised concerns over the prospect of having to deliver captions to its deaf or hard of hearing viewers. The lack of apparent concern by affected providers should assuage any concerns over the impact of a nominal requirement to render captions for video clips owned by an entity other than the third-party provider itself. This should come as no surprise, given that the Commission's rules uncontroversially require third parties to render captions for full-length video programming already.⁷

Despite the Commission's rules and lack of concern by third parties, NAB and NCTA attempt several vague, conclusory, and conjectural objections to a third-party requirement. The Commission should treat these objections with skepticism not only because they are largely groundless, but also because that they evidently are not shared by the third parties to whom the requirement would primarily apply.

NAB generally contends, on the basis of little more than vague allusions to unexplained interoperability and corruption problems, that third-party providers should not be required to render captions because video programming owners ("VPOs") "lose operational control" of clips provided by third parties.⁸ NAB inexplicably fails to acknowledge that third-party video providers and distributors have successfully rendered and passed through captions on video, often without the operational control of VPOs, on every contemporary video distribution medium, including broadcast, cable, satellite, and Internet Protocol ("IP"), for the better part of the last two decades. NAB identifies no attribute of IP-delivered video clips, nor does one exist, that undermines the obvious, common-sense proposition that the need for cooperation between multiple distribution entities is hardly an insurmountable barrier to ensuring that closed captions traverse the

⁷ *See id.* at 4-5.

⁸ *NAB Comments* at 11.

video delivery chain from caption vendors to VPOs to various video providers to consumers—and arrive intact.

Indeed, as NCTA correctly admits, many third party websites obviously already “have the capability to render captions through their media players” —a capability agnostic to the legal distinction between full-length programming and video clips.⁹ Moreover, NCTA tacitly admits that this capability is not even necessary in the frequent situation where third-party providers simply embed or otherwise use first-party players required to support captioning under the Commission’s rules.¹⁰

NAB and NCTA nevertheless claim that third-party caption rendering may be difficult or impossible even where the third party has an explicit license agreement or other contractual arrangement with the VPO or other intermediary—or, rather incredibly, where the VPO has a *direct financial interest* in the third party, as several VPOs do in the third-party service Hulu.¹¹ NAB and NCTA cite several difficulties that they allege prevent the interoperation of existing and widely-used captioning delivery and rendering technology underpinned by direct contractual relationships:

- “Routin[e] failures” in content delivery network (“CDN”) and other unspecified technology;¹²
- That “many more” video clips are provided by third parties than full-length programming;¹³
- The need to make unspecified changes to “work flows at both ends of the process”;¹⁴ and even:

⁹ *NCTA Comments* at 5.

¹⁰ *See id.* at 6.

¹¹ *NAB Comments* at 12; *NCTA Comments* at 4-5.

¹² *See NAB Comments* at 12.

¹³ *NCTA Comments* at 4.

¹⁴ *NCTA Comments* at 4

- “[T]he *complexities of the Internet*.”¹⁵

These vague and conclusory assertions fail to provide any basis for the Commission to exempt third-party providers of video clips from the same captioning rules that apply to first-party sites delivering the same clips or those same third-party sites when delivering full-length programming. Denying Americans who are deaf or hard of hearing the right to participate in twenty-first century American society on equal terms simply because the Internet is “complex” or prone to technological failures does not remotely accord with Congressional intent or sound public policy.

The Commission should reject the overtures of NAB and NCTA accordingly and require VPOs to send video clips to licensed third-party providers with captions, and require those providers to make the necessary adjustments to their workflows to enable rendering of the captions. There is no legitimate barrier to achieving the necessary coordination between VPOs and third-party providers, especially when those parties do business on a regular basis. As NCTA concedes, programmers already “voluntarily . . . send caption files to third parties with whom they have relationships . . . , and those sites’ players will be capable of passing through or rendering captions to consumers.”¹⁶

NAB and NCTA contend that they face additional difficulties in delivering captions for video clips to third parties where no explicit licensing arrangement exists and the VPO does not know that video clips are being shared.¹⁷ We suspect that the majority of the situations to which NAB and NCTA allude are tacitly endorsed or even encouraged by VPOs, such as when VPOs facilitate sharing via social media sites. NCTA complains, for example, that “social media outlets for video clips may lack an infrastructure for displaying captioning”—but does not suggest that VPOs do not allow sharing video via

¹⁵ *NAB Comments* at 12 (emphasis added).

¹⁶ *NCTA Comments* at 6.

¹⁷ *NAB Comments* at 11-12, *NCTA Comments* at 3

social media.¹⁸ (Moreover, prominent social media sites like Facebook already include native support for captioning.¹⁹) In situations where VPOs make video available for sharing by third-party providers on social media or otherwise, the Commission should require VPOs to make captions available and third-party providers to develop the infrastructure to render them.

Where third-party providers share video clips in violation of copyright law or make non-infringing fair uses of video without the authorization of the VPO, we agree with NAB that programmers should not be required to coordinate with those providers or bear liability if those providers do not enable the rendering of captions.²⁰ However, if VPOs make videos available for use by other third-party providers, the Commission should still require VPOs to make captions available with the videos. And even where a VPO and third-party provider lack any explicit relationship, the Commission should still require the third-party provider to render captions included with a video by the VPO. In short, all video clips shown on television with captions should be captioned when legally delivered via IP.

NAB further argues that “captioning requirements on third-party distributors will result in mass confusion.”²¹ NCTA similarly argues that consumers will be confused if some third parties do not add captions to video clips they provide.²² As we described in our initial comments, the availability of captions online is incredibly complicated *because* of the need to identify the first- or third-party status of a provider, and eliminating the need

¹⁸ *NCTA Comments* at 5.

¹⁹ *E.g.*, Adrian Redden, *Facebook rolls out video captioning* (Sept. 5, 2014), <http://www.accessiq.org/news/news/2014/09/facebook-rolls-out-video-captioning>. Twitter uses third-party video hosting services like YouTube, which also support captions.

²⁰ *NAB Comments* at 14.

²¹ *Id.* at 15

²² *NCTA Comments* at 5.

for consumers to determine whether they are viewing a video clip via a first- or third-party provider will serve to *reduce* confusion, not increase it.²³

NAB nevertheless argues that the Commission should not require third-party providers to render captions because “it lacks the means to ensure that unregulated entities comply with the rules.”²⁴ NAB doubts that “the Commission can even track third parties’ distribution of VPOs’ content, let alone enforce its rules against innumerable and often unidentifiable third parties.”²⁵ Accordingly, NAB argues that third parties will variously “not respond to FCC inquiries or consumer complaints” or “be tempted to eliminate video clips . . . to avoid potential fines.”²⁶

The Commission should decline NAB’s invitation to avoid addressing the challenge of making Internet-delivered video clips ubiquitously accessible simply because it is too difficult—a concern that has been raised in response to virtually every major step forward in contemporary American accessibility policy. The Commission should stand on the right side of history and forge ahead.

Of course, we acknowledge that third-party-provided video clips will not become captioned overnight, and we are not asking the Commission to boil the ocean. Indeed, the Commission should implement its rules with reasonable phase-in periods, education, and collaboration with third-party providers and consumers long before turning to enforcement. Indeed, we agree with NCTA that third-party providers will develop a “better understanding of what changes will be necessary . . . to accommodate captioned

²³ *Consumer Groups Comments* at 2-3.

²⁴ *NAB Comments* at 13

²⁵ *Id.* at 13-14.

²⁶ *Id.* at 15.

clips” over time, and are committed to working closely with the industry to ensure that these developments ultimately ensures equal access to video programming.²⁷

II. The record supports phasing out and eventually eliminating grace periods for live and near-live video clips.

In our comments, we urged the Commission to phase out and ultimately eliminate a grace period for airing captions for live and near-live video clips, consistent with its sensible conclusion that “it will be appropriate to decrease or eliminate this grace period because we expect that technology will automate the process such that a grace period is no longer needed.”²⁸ ODHH agrees, noting that the “[grace] period creates far too long of a delay as deaf and hard of hearing consumers do not have access to those instantaneous moments that others are allotted the opportunity to experience.”²⁹

NAB and NCTA offer no substantive objection to phasing out the grace period in the future, but instead insist that doing so would be arbitrary and capricious simply because the Commission determined that a temporary grace period would appropriate in the short term.³⁰ There is nothing arbitrary or capricious about aggressively ratcheting down and eliminating the grace period as technology predictably develops to obviate any need for it, and we again urge the Commission to do so.

III. The record is devoid of evidence warranting disparate treatment of mashups.

In our comments, we urged the Commission to treat mashups on the same terms as any other types of video clips absent evidence to warrant disparate treatment, of which

²⁷ See *NCTA Comments* at 6.

²⁸ *Consumer Groups Comments* at 8-9 (quoting *Second FNPRM*, 29 FCC Rcd. at 8714-15, ¶ 43).

²⁹ *ODHH Comments* at 2.

³⁰ See *NAB Comments* at 2-3, 6; *NCTA Comments* at 11-12.

the record currently is largely devoid.³¹ ODHH agrees, noting that “the Commission should require that these videos be captioned”³²

Indeed, the Commission specifically “s[ought] comment on the nature of these types of integrated clips” and implored the industry to “give us specific examples of such clips and describe how prevalent they are.”³³ Neither NAB nor NCTA provide even a single example of a mashup, much less systemic data about their prevalence that might warrant disparate policy treatment. Instead, NAB simply rehashes a general description of mashups as “a completely new video program combining a video clip that was shown on-air with captions and a video clip(s) and/or other content that was never shown on-air,” while NCTA simply quotes the Commission’s definition from the *Second FNPRM*.³⁴

Without a single tangible example of what a mashup is or any evidence that they are even marginally prevalent, there is no reason the Commission should not require that mashups include captions for the included video clips that have been shown on television with captions. Moreover, the Commission should reject NAB’s and NCTA’s tortured arguments that the Commission lacks the authority to cover mashups; these arguments boil down to the illogical proposition that a video clip of a full-length program shown on television with captions was *not really shown on television with captions* simply because it is being shown online only in part and in sequence with other programming.³⁵ The Commission should recognize these arguments as a thinly veiled attempt to rehash

³¹ *Consumer Groups Comments* at 9-10.

³² *ODHH Comments* at 2-3.

³³ *Second FNPRM*, 29 FCC Rcd. at 8716, ¶ 46.

³⁴ See *NAB Comments* at 15; *NCTA Comments* at 9-10 (quoting *Second FNPRM* at ¶ 44).

³⁵ See *NAB Comments* at 15-16; *NCTA Comments* at 9-10.

whether *video clips themselves* should be captioned—an issue which the Commission has firmly and correctly resolved in the affirmative.³⁶

The Commission should also categorically reject NCTA's half-hearted invitation to exempt mashups from its rules on the grounds that captioning would *universally* impose an economic burden—an invitation based solely on NCTA's conclusory, two-sentence contention that captioning mashups would be “costly” and “require expenditure of significant resources.”³⁷ NCTA fails to even mention the multiple statutory factors that the Commission must consider in promulgating a categorical exemption by rulemaking, much less describe how having to caption mashups might weigh those factors in favor of an exemption.³⁸ The Commission regularly denies exemption petitions from individual video programmers who have failed to sufficiently and specifically establish that captioning would impose an undue economic burden; it should go without saying that a broad, categorical exemption is not appropriate where the proponent has not even identified an example of the programming that would be covered by the exemption.³⁹

Finally, the Commission should reject NCTA's argument that it should exempt mashups from the captioning rules because complaints might arise “about captions appearing in some sections of a piece but not in other sections.”⁴⁰ Doing so would simply substitute the limited possibility of complaints about partial captioning for the certainty of complaints about the total absence of captioning that will result from the status quo.

³⁶ See *Second Order*, 29 FCC Rcd. at 8688-89, ¶ 2 (“[W]e . . . revise our regulations to require the provision of closed captioning on video clips delivered using IP *when the programming was published or exhibited on television with captions.*” (emphasis added)).

³⁷ See *NCTA Comments* at 10-11.

³⁸ See *id.*; 47 U.S.C. § 613(d)(3), (e)(1)-(4).

³⁹ See, e.g., *First Baptist Church, Jonesboro, Arkansas*, Memorandum Opinion and Order, CG Docket No. 06-181 (Oct. 24, 2014), available at http://transition.fcc.gov/Daily_Releases/Daily_Business/2014/db1024/DA-14-1542A1.pdf.

⁴⁰ See *NCTA Comments* at 10.

Moreover, given the lack of evidence of the prevalence of mashups, it is impossible to conclude that consumer confusion will be a widespread problem. Even if it proves to be, programmers concerned about confusing consumers by captioning only the bare minimum required by the rules can always choose to go above and beyond the rules and caption entire mashups, including those portions not shown on television with captions—a prospect consistent with video programmers’ oft-asserted commitment to voluntary captioning.⁴¹

IV. The record demonstrates that requiring captioning of advance clips would serve the public interest and that any resulting difficulties and costs could be avoided.

In our comments, we urged the Commission to require “advance” clips first delivered via IP without captions to be captioned as soon as they are delivered on television with captions. ODHH agrees, noting that “in the instance that [advance clips] remain uncaptioned online, deaf and hard of hearing consumers would again be excluded from access to that material.”⁴²

NAB and NCTA do not seriously challenge the importance of ensuring that advance clips are accessible to people who are deaf or hard of hearing, particularly as the evolving video programming marketplace increasingly prioritizes online delivery over traditional broadcast, cable, and satellite—or the Commission’s authority to require captioning of advance clips. While NCTA argues that the “legal status of [advance] clips does not change once the associated video programming is shown on television captions,” NAB concedes that the Commission possesses authority to require captions for advance clips as soon as they are aired.⁴³ Indeed, the CVAA plainly requires the Commission’s regulations

⁴¹ See, e.g., *id.* at 6.

⁴² *ODHH Comments* at 3.

⁴³ Compare *NCTA Comments* at 6-7 with *NAB Comments* at 6-7 (“[T]he Commission lacks authority to require [advance clips’] captioning unless and until they have been aired.”)

to cover programming that has been “published or exhibited on television with captions.”⁴⁴ Contrary to NCTA’s assertion, whether programming has been shown on television with captions is not dependent in any way on whether the programming was delivered via IP first.⁴⁵

Nevertheless, NAB and NCTA advance a variety of arguments for exempting advance clips that are primarily rooted in having to *replace* an uncaptioned advance clip with a captioned clip once the underlying program is shown on television with captions.⁴⁶ These arguments rest on the premise that advance clips must be posted without captions simply because the Commission’s rules do not require captions until a later event—*i.e.*, the airing of the underlying program on television with captions.

The Commission should reject this premise. If it is truly inconvenient or burdensome for programmers to replace uncaptioned clips with captioned versions several hours later, then they should *simply post them with captions in the first place*. Just because the Commission’s rules do not require programmers to caption video clips with captions until they are shown on television with captions does not mean that the Commission must reward programmers for undertaking the arguably wasteful approach of posting videos without captions when they know they will have to be replaced later with captioned versions.

Indeed, many of the alleged costs of captioning advance clips cited by NAB and NCTA are unnecessarily self-inflicted. For example, any difficulty in tracking uncaptioned clips placed online for later replacement would be obviated by posting captioned versions of the clips at the outset.⁴⁷ So, too, would any difficulties associated

⁴⁴ 47 U.S.C. § 613(c)(2)(A).

⁴⁵ *But see NCTA Comments* at 7 (“Because advance clips are published online *before* programming is published or exhibited on television with captions, such clips are not covered.” (emphasis original)).

⁴⁶ *E.g.*, *NAB Comments* at 7-8; *NCTA Comments* at 8.

⁴⁷ *But see NAB Comments* at 7; *NCTA Comments* at 8-9.

with links to or metadata about the original video, or confusion resulting from multiple videos.⁴⁸

Indeed, programmers already have significant economic incentives to ensure that clips are placed online with captions at the outset—or “born accessible.” Doing so not only avoids any difficulty associated with replacing clips at a later time, but increases the market for the clips to include the 48 million of Americans who are deaf or hard of hearing. To the extent that NAB and NCTA are correct that many advance clips are promotional in nature, ensuring that they are captioned from the outset both vindicates the civil rights of viewers who are deaf or hard of hearing to access new, exciting, and important video programming on equal terms *and* increases the likelihood that those viewers will know about and tune into advance-promoted programming when it is later shown in full, either on television or via IP.⁴⁹

While there is little evidence that reposting captioned versions of video clips is actually necessary, NAB concedes that it is possible.⁵⁰ While we believe the 24-hour period proposed by NAB is excessive and unnecessary given that videos can and should be captioned contemporaneously with being posted online, we would consider supporting a more reasonable grace period of a shorter duration if NAB and other stakeholders can identify legitimate, *specific* technical reasons why it is necessary.

Lastly, the Commission should again reject NCTA’s half-hearted invitation to exempt advance clips from the captioning rules on the grounds of economic burden.⁵¹ As with its argument to exempt mashups, NCTA again fails to mention the multiple statutory factors that the Commission must consider in promulgating a categorical

⁴⁸ *But see NAB Comments* at 8-9; *NCTA Comments* at 8-9.

⁴⁹ *See NAB Comments* at 9; *NCTA Comments* at 8.

⁵⁰ *See NAB Comments* at 9-10.

⁵¹ *NCTA Comments* at 7-8.

exemption by rulemaking, much less describe how having to caption advance clips might weigh those factors in favor of an exemption.⁵² Instead, NCTA simply offers a handful of vague platitudes about the allegedly short duration and shelf-life of some unidentified segment of advance clips. It should go without saying this conjecture does not even attempt to address the statutory standard for an economic burden.

Nevertheless, NCTA argues that the Commission should more narrowly exempt promotional announcements—simply because it did so more than 15 years ago in promulgating the original television captioning rules.⁵³ Of course, we have repeatedly urged the Commission to repeal this exemption, which was dubious when promulgated and whose continued existence is unjustifiable in light of the vast improvements and cost reductions in captioning technology, which the Commission has not been revisited since the previous century.⁵⁴ Needless to say, NCTA's comments offer no serious analysis suggesting that the assumptions that underpinned the original promulgation of the exemption remotely remain true today, much less that they are also true in the market for IP-delivered video clips. Again, we urge the Commission to abide by Congress's clear mandate not to adopt any categorical exemption, such as this one, that lacks any meaningful record support.

V. The Commission should ensure that its video clip captioning policies serve the needs of the DeafBlind community and people who are deaf or hard of hearing and have mobility disabilities.

Finally, we agree with ODHH that captioned video clips should be accessible for all viewers who are deaf or hard of hearing, including viewers who are DeafBlind, which

⁵² *See id.*; 47 U.S.C. § 613(d)(3), (e)(1)-(4).

⁵³ *NCTA Comment* at 8 (citation omitted).

⁵⁴ *E.g., Comments of TDI, et al.*, CG Docket No. 05-231, at 17-18 (July 9, 2014), *available at* <http://apps.fcc.gov/ecfs/document/view?id=7521373906>.

includes being deaf or hard of hearing and blind or visually impaired.⁵⁵ We join ODHH in encouraging the Commission to ensure that its policies address the specific needs of the DeafBlind community to access video programming on equal terms.⁵⁶ We also encourage the Commission to consider and address the needs of people who are deaf or hard of hearing and have mobility disabilities.

* * *

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⁵⁵ See *ODHH Comments* at 4.

⁵⁶ See *id.*