



Federal Communications Commission  
Washington, D.C. 20554

December 8, 2014

Also sent by E-mail

The Florida Channel  
c/o Richard A. Helmick, Esq.  
Cohn and Marks, LLP  
1920 N Street, N.W., Ste. 300  
Washington, D.C. 20036-1622

Re: MB Docket No. 11-154 and CG Docket No 13-318  
Petition for Closed Captioning Exemption  
Dismissal of Petition

Dear Mr. Helmick,

This letter concerns your client's Petition for Exemption from the Federal Communications Commission's (FCC's) closed captioning rules. The FCC's Consumer and Governmental Affairs Bureau (Bureau) advises you that, for the reasons stated below and as concurred by telephone on December 3, 2014 and confirmed by your e-mail dated December 5, 2014, your above-referenced Petition for exemption from the FCC's closed captioning rules governing televised video programming has been dismissed without prejudice, and you must begin providing closed captions for the programming that is the subject of your Petition within ninety (90) days of the date of this letter. Specifically, you must begin providing closed captioning for the televised programming by **March 9, 2015**.

Pursuant to Section 79.4(d)(11) of the FCC's rules,<sup>1</sup> the programming that is the subject of your Petition has been exempt from the Commission's closed captioning requirements since it was first filed on November 9, 2012, while your Petition was pending. After reviewing your Petition, the Bureau determined that your Petition had been incorrectly filed on MB Docket No. 11-154 and cannot be processed further.

To file a request for an exemption from the IP captioning rules, your request must be sent by e-mail to [captioningexemption@fcc.gov](mailto:captioningexemption@fcc.gov).<sup>2</sup> Petitions may not be filed directly on the FCC's Electronic Comment Filing System (ECFS) or by U.S. mail. At this time, the FCC's e-mail system does not accept attachments in the form of .ZIP files or file sizes larger than 13.3 megabytes. If a petitioner has concerns that its file size will exceed this limitation, please contact [captioningexemption@fcc.gov](mailto:captioningexemption@fcc.gov). Because the FCC will upload petitions and any supporting information and documentation to ECFS, petitioners must follow the ECFS document format guidelines (<http://apps.fcc.gov/ecfs/userManual/upload/documents.jsp>) when sending petitions,

<sup>1</sup> 47 C.F.R. § 79.4(d)(11).

<sup>2</sup> *Notice of Electronic Filing Procedures for Closed Captioning Exemption Requests for Video Programming Delivered Using Internet Protocol (IP)*, CG Docket No.05-231, Public Notice, DA 14-1487 (Oct. 14, 2014). This new electronic filing procedure goes into effect on December 1, 2014.

supporting information, and documentation via e-mail. For more information about this electronic filing procedure: <http://www.fcc.gov/encyclopedia/economically-burdensome-exemption-closed-captioning-requirements-video-programming-deli>. The list of specific required documents is found on this webpage, at this link: <http://transition.fcc.gov/cgb/dro/information-for-filing-petition-exempt-internet-closed-captioning.pdf>.

Because your Petition is dismissed without prejudice, you may file a new petition for exemption from the FCC's captioning requirements. If you file a new petition, the programming that is the subject matter of the new petition may again be exempt from the FCC's closed captioning requirements while the new petition is pending. The Bureau will assign a new case identifier number to any new petition that you file. **Please note that your new petition must provide the FCC with up-to-date and complete information and must contain all of the information, materials, or documents necessary to support your request.** Your new petition may not incorporate by reference any information, materials, or documents that you have previously submitted to the FCC.

If you have additional questions pertaining to this letter or to the filing of an exemption request, please contact the FCC's Disability Rights Office at [captioningexemption@fcc.gov](mailto:captioningexemption@fcc.gov).



Suzy Rosen Singleton  
Attorney, Disability Rights Office  
Consumer and Governmental Affairs Bureau