Received & Inspected

JUN 20 2012

FCC Mail Room

Fr. Cedric Ministries

The Passionists *of* Holy Cross Province 430 Bunker Hill Road, Houston TX 77024

tel 713 464 4932 x32 *fax* 713 932 7303 *web* www.frcedric.org

June 15, 2012

Office of the Secretary
Federal Communications Commission
Attn: Disability Rights Office, Room 3-B431
445 12 Street, SW
Washington, D.C. 20554

Re: Father Cedric Pisegna Ministries
Case Identifier: CGB-CC-0888
Program Name: "Live with Passion"
Pending Petition for Closed Captioning Exemption

Dear Sir or Madam:

I am writing this letter in connection with a pending petition for an exemption from the closed captioning requirement for the television program "Live with Passion." The information in this letter, including all attachments, is being provided to update and supplement my pending petition.

By way of background, I am an ordained Catholic priest and a vowed member of a Roman Catholic religious order, The Congregation of the Passion, Holy Cross Province (hereinafter, the "Congregation"). The Congregation is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code as a religious organization, and is included in the group exemption ruling issued by the IRS for all organizations listed in *The Official Catholic Directory*. The Congregation is a part of the Passionists, a worldwide religious community within the Roman Catholic Church that was founded by St. Paul of the Cross in the 18th century in Italy. Vowed Passionists are active contemplatives -- ordained priests and brothers who unite contemplation and an active pastoral life.

I have professed religious vows of poverty, chastity, and obedience, and have been a vowed member of the Congregation since 1985, the year of my first profession of vows. In accordance with my professed vow of poverty and the Constitutions of the Congregation, I am not permitted to hold any personal assets or utilize them for my personal benefit. I have been assigned by the Provincial Superior of the Congregation to live in a religious community of Passionists in Houston, Texas, and this community depends upon the income from my ministry (along with other donations) to support the modest living expenses of its vowed members.

My ministry is preaching the Passionist charism both in person and through my television program, "Live with Passion," which airs on thirty television stations throughout the U.S. The Passionist charism is dedicated to bringing the message of Christ Crucified to a suffering world. It is my position that providing closed captions on "Live with Passion" would be economically burdensome, and would result in significant difficulty and expense ending in my having to curtail or stop the airing of my programs. In support of this claim, I have provided the following:

(1) **Documentation of my financial status demonstrating my inability to afford closed captioning** - As mentioned above, I am a vowed religious living under a vow of poverty. Attached is a profit and loss statement for my entire ministry for calendar year 2011 and the first five months of 2012. The activity reported includes both my television ministry and my itinerant preaching ministry. Approximately 50% of my ministry's income is derived from free-will donations given by parishioners where I preach. Another 10% is derived from donations and approximately 40% from royalties generated from the sale of audio recordings of my sermons and books I have authored on matters of religious faith. As evidenced by the statement, overall, my ministry does not consistently generate a surplus. Therefore, the costs of producing "Live with Passion" are already being subsidized by my preaching activities, without taking into account the additional costs that would be necessitated by closed captioning.

(2) **Information about the costs of captioning "Live with Passion"** - I have been advised by Pyro-Media, my television producer and video programming distributor, that the cost of closed captioning "Live with Passion" is $350 per 30-minute program, and I produce an average of 14 programs per year, so closed captioning would cost $4,900 per year.. Currently, my cost to produce a single program, including dubbing and shipping costs, is approximately $2,500 per program. Closed captioning would thus increase my annual production costs by 14%. In addition, I have 150 programs already produced that, if they had to be closed captioned for future airing, would cost an additional $57,000 for captioning and re-distribution to the thirty television stations currently airing "Live with Passion."

(3) **Verification that I sought closed captioning assistance from my video programming distributor** – Per the attached letter from Pyro-Media dated May 30, 2012, closed captioning must be subcontracted to another company that performs this service. Pyro-Media states that it cannot provide my ministry with any financial assistance with the cost of closed captioning.

(4) **Verification that I have sought additional sponsorship resources or other sources of revenue for captioning** – Based on my many years' experience and that of my video programming distributor, programs with strictly faith-based content such as "Live with Passion" generally are not attractive to potential sponsors or advertisers. As a result, I have been unsuccessful in obtaining any funding for closed captioning "Live with Passion."

(5) **Information on the type of my operation and the impact that providing captions would have on my programming activities** – If I am required to closed caption "Live with Passion," the additional substantial cost of doing so would cause me to significantly reduce the number of television stations on which the program currently airs, thereby limiting my outreach to viewers. Consequently, a significant number of programs would simply not be shown.

In sum, I believe the foregoing facts and circumstances demonstrate that closed captioning represents an undue burden for my ministry.

If I can be of further assistance, or answer any questions about this letter, please do not hesitate to contact me at the address above, or by phone at my cell (832) 573-3760.

Sincerely,

Fr. Cedric Pisegna, C.P.

Father Cedric Pisegna, C.P.

Enclosures (2)

The Congregation of the Passion
Father Cedric Ministries
Income Statement - Cash Basis
Calendar Year 2011

Month	Revenue	Expense	Income/(Loss)
January	$ 13,622.35	$ (44,569.92)	$ (30,947.57)
February	$ 31,462.20	$ (19,263.88)	$ 12,198.32
March	$ 17,847.36	$ (5,642.05)	$ 12,205.31
April	$ 23,145.06	$ (20,996.88)	$ 2,148.18
May	$ 14,082.93	$ (12,795.15)	$ 1,287.78
June	$ 8,807.41	$ (12,328.86)	$ (3,521.45)
July	$ 14,078.14	$ (7,846.73)	$ 6,231.41
August	$ 38,594.39	$ (37,463.31)	$ 1,131.08
September	$ 11,007.00	$ (16,768.68)	$ (5,761.68)
October	$ 21,933.32	$ (23,764.12)	$ (1,830.80)
November	$ 18,082.83	$ (17,530.64)	$ 552.19
December	$ 878.50	$ (8,810.00)	$ (7,931.50)
Total	**$ 213,541.49**	**$ (227,780.22)**	**$ (14,238.73)**

The Congregation of the Passion
Father Cedric Ministries
Income Statement - Cash Basis
Calendar Year 2012 (through May)

Month	Revenue	Expense	Income/(Loss)
January	$ 54,229.88	$ (20,467.78)	$ 33,762.10
February	$ 16,425.64	$ (34,767.48)	$ (18,341.84)
March	$ 17,521.57	$ (39,140.07)	$ (21,618.50)
April	$ 25,646.21	$ (17,742.15)	$ 7,904.06
May	$ 12,771.30	$ (8,041.28)	$ 4,730.02
June			$ -
July			$ -
August			$ -
September			$ -
October			$ -
November			$ -
December			$ -
Total	**$ 126,594.60**	**$ (120,158.76)**	**$ 6,435.84**

Pyro~Media

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4403 Lost Spring Dr.
Houston, TX 77084

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281-382-6729

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buddy@pyro-media.com

WEB
www.pyro-media.com

DATE
May 30, 2012

Fr. Cedric Pisegna

DEAR CEDRIC,

This is in reference to your question regarding Closed Captioning. The cost to caption a 30 minute program would be $350. The captioning would have to be subcontracted with another company, out of state. We're sorry, but we do not have the financial resources to assist your ministry in CC production. Please let me know if I can be of further help and thank you for your business.

Thank you,
Buddy Englett

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AFFIDAVIT

The State of Texas

County of Harris

BEFORE ME, the undersigned Notary, Linda Lee Noble, on this 15 day of June, 2012 personally appeared Father Cedric Pisegna, C.P., known to me to be a credible person and of lawful age, who being by me first duly sworn, on his oath, deposes and says:

I declare and affirm under penalty of perjury that the statements made in the enclosed letter to the FCC dated June 15, 2012 and all attachments thereto are true and correct to the best of my knowledge, information and belief.

Fr. Cedric Pisegna, C.P. 6/15/12

Father Cedric Pisegna, C.P. (Signature) Date

Address: 430 Bunker Hill Road
Houston, TX 77024

SUBSCRIBED AND SWORN TO before me, the undersigned authority, this 15 day of June, 2012.

(Notary Seal)

LINDA LEE NOBLE
MY COMMISSION EXPIRES
January 14, 2013

Linda Lee Noble

Signature of Notary Public

Linda Lee Noble

Name of Notary Public – *please print or type*

My commission expires: 1-14, 2013.