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December 10, 2014

via electronic filing

Marlene H. Dortch
Secretary, Office of the Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

Re: Closed Caption Quality CG Docket No. 05-231

Dear Ms. Dortch:

On December 9, 2014, Jill Toschi and Darlene Parker of the National Captioning Institute; Gerald Freda of Caption Max; Amy Bowlen and Heather York of VITAC; Alison Godburn and Quang Pho of WGBH Media Access Group; and I representing the National Court Reporters Association—collectively “caption providers”—met with Blake Reid of Telecommunications of the Deaf, Inc.; Lise Hamlin of the Hearing Loss Association of America; Andrew Phillips of the National Association of the Deaf; and Christian Vogler of Gallaudet University—collectively “consumers”—and Karen Peltz Strauss of the Consumer and Governmental Affairs Bureau; Diana Sokolow from Media Bureau Policy Division; and Eliot Greenwald, Suzy Rosen Singleton, Caitlin Vogus and Greg Hlibok of the Consumer and Governmental Affairs Bureau, Disability Rights Office to discuss the suggested metric specified in the Commission’s Best Practices for Real-Time Captioning Vendors in Rule 79.1(k)(2)(iv).

Caption providers reiterated that the FCC formula, as written, does not specifically serve the goal of advancing captioning quality and that it is overly labor-intensive to measure.

FCC Formula (currently in Best Practices)

$$\text{Accuracy Rate} = \frac{\text{Words written} - \text{Errors}}{\text{Words in the program}}$$

Industry Conventional Formula:

$$\text{Accuracy Rate} = \frac{\text{Words written} - \text{Errors}}{\text{Words written}}$$

First and foremost, the captioning quality best practices were created as a way to provide specific practices that, should each entity involved in the captioning process follow them, would result in high quality captions to the end consumer. The quality review formula is utilized in internal reviews of captioners to ensure that company standards are being met as well as to identify specific weaknesses that individual captioners may possess and develop a way to improve them. The specific percentage accuracy rates were never expected to be a practice that would produce documentation that is shared with industry, consumer groups, or the public unless it is specifically requested by the broadcaster. Many captioning companies have a proven track record of providing excellent service to clients and to consumers and requiring them to change internal processes to simply meet an unneeded and unrealistic standard stands completely at odds with the stated goal of the best practices.

Captioning providers and captioners use the accuracy rate in the current captioners' formula to monitor trends among specific captioners and groups of captioners. The formula is, by no means, a way to simply inflate captioner percentage accuracy rates. Captioners are able to review their accuracy rates over time to see what specific issues that they may be having and work to correct them. Captioning providers can alter their training techniques should common trends appear, and NCRA can offer different continuing education opportunities to better serve the captioning population. The FCC's metric would make this much more difficult. It would leave captioners and captioning companies focused on specifically defining an error that has proven extremely difficult to define in the past (such as crosstalk, false starts, using contractions, etc.) as opposed to working to correct substantive problems in the future.

Additionally, caption providers noted that the formula that caption providers prefer has been utilized and understood industry-wide for many years. It allows for a more simple comparison between different captioners who work different types of programming by eliminating variables which can prove almost impossible to quantify such as individuals speaking over one another, incomprehensible words, and other factors. Although consumers have argued that this is not a true measure of accuracy, in the captioning industry, it is. In addition to being overly time-consuming and a drain on limited resources, the FCC's existing metric used to measure accuracy does not serve to improve the quality of the captions, which was the stated purpose for the FCC implementing a best practice model for captioning quality. Captioning providers also argue that utilizing this formula will potentially lower the quality of the captions as preparing a full transcript and then comparing, word for word, the captioned transcript with the written script takes time and resources away from training and preparing stronger captioners.

Consumers argued towards a dual metric which would encompass both metrics. The same concerns over resource allocation remain with this concept as they would likely place a heavy burden on all captioning companies, small and large.

Once again, caption providers want to reiterate that captioners and caption providers are very pleased with the progress that the FCC has made with the captioning quality best practices, and we want to thank the consumer groups and the FCC for engaging in this productive dialogue. There have been some positive developments so far, and we expect those to continue as we approach the January 15, 2015 implementation deadline. Simply put, we would like to see this one section amended to better reflect current industry practices and ensure that all caption providers do not have an increased burden placed on them.

If you have any questions, do not hesitate to contact me directly at 703-584-9059 or afinkel@ncra.org.

Sincerely,

/s/

Adam Finkel
Assistant Director, Government Relations
National Court Reporters Association

CC: Meeting attendees