PUBLIC NOTICE

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NOTICE OF REVERSAL OF DISMISSAL OF CLOSED CAPTIONING EXEMPTION PETITION OF FATHER CEDRIC PISEGNA MINISTRY

CG Docket No. 06-181
CGB-CC-0888

By this *Notice,* the Federal Communications Commission's (FCC's or Commission's) Consumer and Governmental Affairs Bureau (Bureau) announces the reversal of its October 9, 2014 dismissal of the Father Cedric Pisegna Ministry (FCPM) petition for exemption from the Commission's closed captioning requirements.[1]

The Commission's closed captioning rules allow video programming providers, producers, or owners to obtain an exemption from the closed captioning requirements if they demonstrate that providing captions on their programming would be "economically burdensome."[2] By letter dated May 5, 2009, received by the Commission on May 14, 2009, FCPM filed a petition for closed captioning exemptions under these rules.[3] The Bureau placed the petition on public notice.[4] After reviewing the comments received in response to the petition, the Bureau determined that it required additional and updated information to evaluate whether the programming at issue should be exempted from the FCC's closed captioning requirements because captioning such programming would impose an economic burden on the petitioners.

On July 2, 2014, the Bureau requested by letter that FCPM provide additional information to enable it to determine whether the programming noted in the FCPM petition should be exempted from the FCC's closed captioning requirements because captioning the programming would be economically burdensome to its organization.[5] The Bureau advised FCPM that, absent receipt of additional information from FCPM to supplement its petition by August 1, 2014, the petition would be dismissed. The Bureau

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[1] 47 C.F.R. § 79.1.

[2] 47 C.F.R. § 79.1(f).

[3] Letter from Father Cedric Pisegna, to FCC (May 14, 2009) (Petition).

[4] *Request for Comment/Request for Exemption from Commission's Closed Captioning Rules,* CG 06-181, Public Notice, 27 FCC Rcd 7574 (CGB 2012).

[5] Letter from E. Elaine Gardner, Attorney, Disability Rights Office, CGB, to Father Cedric Pisegna Ministries (Jul. 2, 2014). Attempts were also made to reach the petitioner by telephone on July 2, 2014, and September 11, 2014.

had no record of receiving the requested information from FCPM prior to that date, or by October 9, 2014. Therefore, on October 9, 2014, a *Public Notice* was released dismissing the Petition.[6]

Subsequently, FCPM contacted the Bureau, and explained that FCPM had responded with supplemental information by email to the Commission on July 29, 2014. Upon investigation, it appears that the FCPM email of July 29, 2014 was sent to the Bureau. As a result of the Bureau's review of this matter, the Bureau now reinstates the FCPM petition. Because the FCPM petition is reinstated, the video programming that is the subject of the petition is exempt from the FCC's closed captioning rules while the petition is pending determination by the FCC.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice) or 202-418-0432 (TTY). This *Public Notice* can also be downloaded in Word and Portable Document Format at:
http://www.fcc.gov/encyclopedia/economicallyburdensome-exemption-closed-captioning-requirements.

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[6] *Notice of Dismissal of Closed Captioning Exemption Petition*, CG 06-181, Public Notice, 29 FCC Rcd 12008 (CGB 2014).