



Federal Communications Commission
Washington, D.C. 20554

December 23, 2014

Tunuva Media, LLC
c/o Arthur V. Belendiuk
Smithwick & Belendiuk, P.C.
5028 Wisconsin Avenue, NW, Ste. 301
Washington, DC 20016

Re: Case Identifier: CGB-CC-1351
CG Docket No. 06-181
Petition for Closed Captioning Exemption
Request for Supplemental Information

Dear Mr. Belendiuk:

The Federal Communications Commission (FCC or Commission) received your submission dated June 10, 2014, on behalf of your client, Tunuva Media, LLC (Tunuva), requesting an exemption from the Commission's television closed captioning rules (the Petition).¹ Tunuva states that it produces about 33 new English and Spanish program-length commercials per week, typically 28 minutes in length, primarily for local area car dealers and mortgage companies.² These commercials are aired two or three times by one or more local television stations in the same designated market area.³

As noted by Tunuva,⁴ the Commission's rules contain two types of exemptions: (1) categorical exemptions that are self-implementing,⁵ and (2) individual exemptions that may be granted upon a determination by the Commission that compliance is economically burdensome.⁶ For the reasons described below, it appears that the programs Tunuva produces do not qualify for any of the categorical exemptions. Further, additional information, is required to enable us to determine whether the programming that is the subject of the Petition should be exempted from the Commission's closed captioning requirements because captioning such programming would be economically burdensome to Tunuva.

Program-length commercials. Tunuva notes that the Commission's closed captioning rules exclude commercials of five minutes' duration or less from the definition of video programming.⁷

¹ 47 C.F.R. § 79.1; Tunuva Media, LLC, Petition for Exemption of Closed Captioning Requirements, CG Docket No. 06-181, filed June 10, 2014. During the pendency of an economically burdensome determination, the video programming subject to the request for exemption shall be considered exempt from the closed captioning requirements. 47 C.F.R. § 79.1(f)(11).

² Tunuva at 3-4.

³ *Id.*

⁴ *Id.* at 1.

⁵ 47 C.F.R. §§ 79.1(d)(1), (3)-(13).

⁶ 47 C.F.R. §§ 79.1(d)(2), (f).

⁷ Tunuva at 5-6. *See also* 47 U.S.C. § 613(d)(2); 47 C.F.R. § 79.1(a)(10) (defining "video programming" as programming provided by, or generally considered comparable to programming provided by, a television broadcast station that is distributed and exhibited for residential use, including advertisements of more than five minutes in

However, the Commission has determined that “longer commercials of more than five minutes’ duration” (also called program-length commercials, long-form commercials or infomercials) are subject to the closed captioning rules.⁸ In adopting the closed captioning rules, the Commission noted that program-length commercials “are generally prerecorded, generally distributed nationwide, and are formatted to resemble traditional television programming.”⁹

Tunuva argues that its program-length commercials are distinguishable from the program-length commercials covered by the Commission’s closed captioning rules because “state law requires that the commercials be prerecorded approximately 48 hours before airing,” they are not distributed nationwide, and they are not formatted to resemble traditional television programming.¹⁰ We are not persuaded by these arguments. Although the Commission explained that one of the reasons that program-length commercials fall under the closed captioning obligations is because they are “generally” distributed nationwide, it did not make this a pre-requisite for requiring captioning of such commercials. Rather, the Commission included all program-length commercials, without exception, in the captioning requirements, and in doing so, made a judgment that “the burdens and benefits of captioning infomercials are likely to be analogous to those for traditional prerecorded programming.”¹¹ The Commission’s clear ruling on this point requires us to conclude that Tunuva’s program-length commercials showcasing “an inventory of available cars [or real property] offered for sale in a particular market,”¹² are subject to the closed captioning rules.

Primarily textual programming. Tunuva appears to suggest that the program-length commercials it produces may fall under Section 79.1(d)(4) of the Commission’s rules, which exempts video programming that is primarily textual.¹³ This exemption from the closed captioning requirements applies to “[v]ideo programming or portions of video programming for which the content of the soundtrack is displayed visually through text or graphics (*e.g.*, program schedule channels or community bulletin boards).”¹⁴ The Commission created this exemption because it was persuaded “that a requirement for captioning of such programming, where information is already provided visually with little or no relevant audio track, would be unnecessary and economically burdensome as it would outweigh the benefits

duration, but not advertisements of five minutes’ duration or less). The Commission’s rules also exempt interstitial material, promotional announcements, and public service announcements that are 10 minutes or less in duration. 47 C.F.R. § 79.1(d)(6).

⁸ *Closed Captioning and Video Description of Video Programming, Implementation of Section 305 of the Telecommunications Act of 1996, Video Programming Accessibility*, MM Docket No. 95-176, Report and Order, 13 FCC Rcd 3272, 3346, ¶ 153 (1997) (*1997 Closed Captioning Report and Order*); *Closed Captioning and Video Description of Video Programming, Implementation of Section 305 of the Telecommunications Act of 1996, Video Programming Accessibility*, MM Docket No. 95-176, Order on Reconsideration, 13 FCC Rcd 19973, 20008, ¶ 79 (1998) (*Closed Captioning Reconsideration Order*) (reaffirming that program-length commercials are subject to the closed captioning rules). *See also* Tunuva at 6.

⁹ *1997 Closed Captioning Report and Order*, 13 FCC Rcd at 3346, ¶ 153. *See also* Tunuva at 6.

¹⁰ Tunuva at 6.

¹¹ *1997 Closed Captioning Report and Order*, 13 FCC Rcd 3272, 3346, ¶ 153.

¹² Tunuva at 6.

¹³ 47 C.F.R. § 79.1(d)(4). *See also* Tunuva at 6-7. We make this assumption because, as noted below, Tunuva makes a point of noting that state law requires relevant information pertaining to the sale of cars to be provided as text and that “information presented aurally is mere banter” in its discussion of the exemption provided in Section 79.1(d)(4). Tunuva at 7.

¹⁴ 47 C.F.R. § 79.1(d)(4).

provided by the captions.”¹⁵ The Commission, however, did not extend the exemption for primarily textual programming to sports, shopping, and weather programming.¹⁶ It explained that although such programming’s visual content generally might make it more accessible to viewers without captioning than programs that rely more heavily on the spoken word alone, “critical portions of the information conveyed is lost if captioning is absent” from such programming.¹⁷ On reconsideration, the Commission affirmed this ruling and explained that it had “previously considered and rejected requests for exemption of programming that uses graphics and text to sell products or services,” because “the dialogue in such programs adds information that would be lost to consumers with hearing disabilities without captions and that the captioning rules should apply to such programming.”¹⁸

With respect to its car commercials, Tunuva claims that all of the relevant data about the cars offered for sale, as a matter of state law, must be provided visually as text.¹⁹ Tunuva states that, for each car shown, Tunuva must display on the screen the make, model, year, pricing, and payments, along with a complete disclosure of down payments, interest, and payment details for purchasing or leasing the vehicle.²⁰ However, Tunuva acknowledges that the information presented aurally on such programming, which it describes as “mere banter,” is “designed to grab the attention of channel surfing viewers.”²¹ This indicates that the content of the soundtrack is *not* displayed through text or graphics, but rather that the soundtrack “adds information not provided by the textual on-screen display and therefore is subject to the captioning requirements.”²² Accordingly, based on the information provided by Tunuva, we conclude that Tunuva’s programs do not qualify for the exemption for primarily textual programming.

Locally produced and distributed non-news programming with no repeat value. Tunuva describes the program-length commercials that it produces as “non-news programming specifically prepared for the particular market in which they are broadcast . . . [that] have no repeat value,” and suggests that for this reason its programs are exempt under Section 79.1(d)(8) of the Commission’s rules.²³ This categorical exemption from the Commission’s closed captioning rules applies to “[p]rogramming that is locally produced *by the video programming distributor*, has no repeat value, is of local public interest, is not news programming, and for which the ‘electronic news room’ technique of captioning is unavailable.”²⁴ The Commission’s rules define a video programming distributor as “[a]ny television broadcast station

¹⁵ 1997 *Closed Captioning Report and Order*, 13 FCC Rcd at 3344, ¶ 149. *See also* Tunuva at 6.

¹⁶ 1997 *Closed Captioning Report and Order*, 13 FCC Rcd at 3344-45, ¶ 150.

¹⁷ *Id.*

¹⁸ *Closed Captioning Reconsideration Order*, 13 FCC Rcd 20008, ¶ 79. *See also Home Shopping Club L.P.*, Memorandum Opinion and Order, 15 FCC Rcd 10790, 10793-4, ¶ 10 (Cable Services Bureau 2000) (denying petition for exemption based on undue burden because petitioner failed to provide sufficient information and rejecting petitioner’s argument that closed captioning would be duplicative of product information already displayed visually on-screen, noting that “spoken dialog in programs that use graphics and text to sell products or services adds information that would be lost to consumers with hearing disabilities” without closed captioning) (citing 1997 *Closed Captioning Report and Order*, 13 FCC Rcd at 3344; *Closed Captioning Reconsideration Order*, 13 FCC Rcd at 20008).

¹⁹ Tunuva at 6.

²⁰ Tunuva at 6-7.

²¹ Tunuva at 7.

²² *Home Shopping Club L.P.*, 15 FCC Rcd at 10794, ¶ 11.

²³ Tunuva at 7 (citing 47 C.F.R. § 79.1(d)(8)). *But see* Tunuva at 3-4 (stating that the commercials are aired two or three times by one or more local television stations in the same designated market area).

²⁴ 47 C.F.R. § 79.1(d)(8) (emphasis added).

licensed by the Commission and any multichannel video programming distributor . . . and any other distributor of video programming for residential reception that delivers such programming directly to the home and is subject to the jurisdiction of the Commission.”²⁵ Based on the information provided by Tunuva, it is not a video programming distributor. As such, Tunuva’s programs do not qualify for this categorical exemption.

Exemption based on economically burdensome standard. A petition for an exemption must be supported by sufficient evidence to demonstrate that compliance with the closed captioning requirements would be economically burdensome, that is, the provision of captioning would result in a significant difficulty or expense for the petitioner.²⁶ The Commission must consider the following factors in making an economically burdensome determination:

1. the nature and cost of the closed captions for the programming;
2. the impact on the operation of the provider or program owner;
3. the financial resources of the provider or program owner; and
4. the type of operations of the provider or program owner.²⁷

The Commission requires certain information and documentation to be submitted with closed captioning exemption petitions to enable its consideration of the above factors. A list of “Required Information to Provide in Filing a New Petition to be Exempt from the Closed Captioning Requirements” is available online at https://apps.fcc.gov/edocs_public/attachmatch/DOC-323421A1.pdf.²⁸ Furthermore, all petitions must be filed electronically by e-mail to captioningexemption@fcc.gov.²⁹

Tunuva’s submission was not filed electronically, nor did it contain the vast majority of information and documentation listed on the “Required Information to Provide in Filing a New Petition to be Exempt from the Closed Captioning Requirements.”³⁰ Because this information was lacking, we conclude that Tunuva failed to provide sufficient information by which the Commission could determine whether compliance with the closed captioning requirements would be economically burdensome. If Tunuva wishes for its Petition to receive further consideration for a closed captioning exemption, it must supplement the Petition by providing us with the required information **by January 22, 2015**, which is 30 days from the date of this letter:

²⁵ 47 C.F.R. § 79.1(a)(2).

²⁶ See 47 U.S.C. §§ 613(d)(3),(e); 47 C.F.R. § 79.1(f)(2).

²⁷ 47 U.S.C. § 613(e); 47 C.F.R. § 79.1(f)(2). A petitioner may also present for the Commission’s consideration “any other factors the petitioner deems relevant to the Commission’s final determination,” including alternatives that might constitute a reasonable substitute for closed captioning. 47 C.F.R. § 79.1(f)(3). All petitions and supporting materials must contain a detailed, full showing, supported by a sworn affidavit or a declaration signed under penalty of perjury attesting to the truthfulness and accuracy of any facts or considerations relied on in the submission. 47 C.F.R. § 79.1(f)(9); 47 C.F.R. § 1.16.

²⁸ Additional information is also available online at <http://www.fcc.gov/encyclopedia/economically-burdensome-exemption-closed-captioning-requirements>.

²⁹ *Notice of New Electronic Filing Procedures for Television Closed Captioning Exemption Requests*, CG Docket Nos. 06-181 and 05-231, Public Notice, 29 FCC Rcd 3960 (CGB 2014).

³⁰ For example, Tunuva’s submission failed to include the name of the program for which an exemption was requested, closed captioning quotes, or financial information or documentation about its ability to afford closed captioning costs. In addition, Tunuva failed to verify its efforts to seek assistance from its video programming distributor(s) and it failed to verify its efforts to seek additional sponsorships.

- Name of the programming for which an exemption is requested. Provide the specific name of each program for which Tunuva requests an exemption. Petitions that request an exemption for an entire channel of video programming must identify the channel for which an exemption is requested.

If Tunuva continues to seek an exemption for program-length commercials, it may either name the specific program(s) for which it seeks an exemption or describe the scope of the exemption requested (e.g., all 28-minute, program-length commercials produced by Tunuva; approximately 33 new commercials per week; produced primarily for local area car dealers and mortgage companies).³¹

- The nature and cost of the closed captions for the programming. Provide information about the organization's costs associated with closed captioning each specific program for which it is requesting an exemption, and its efforts to find companies that can provide captioning at a reasonable cost.
 - Include documentation for two or more recent quotes Tunuva received from closed captioning services to provide closed captioning specifically for its program(s). "Recent" means a quote Tunuva obtained within one year of the date of its petition.
 - For each of these quotes, include an estimate of the annual cost to caption Tunuva's program(s). For example, multiply the cost to caption each of the program episodes by the number of program episodes Tunuva expects to produce and show in one year.
 - In addition to providing the quotes described above, if Tunuva has considered buying equipment to produce the closed captioning itself, provide information about the costs to purchase and maintain the equipment and for any costs associated with hiring personnel to operate the equipment for one year.
- The impact of captioning on Tunuva's programming activities. Explain in detail the impact that having to provide closed captioning will have on Tunuva's programming activities. For example, describe the extent to which Tunuva's program(s) might not continue to be shown if Tunuva is required to provide captions.
- Tunuva's financial resources. *In its Petition, Tunuva asks the Commission to compare the cost of closed captioning with its production costs to make a finding of economic burden.³² The Commission is not permitted to compare captioning costs against production costs of a particular program or programs. Rather, when conducting an economically burdensome analysis, "all of the petitioner['s] available resources" must be taken into consideration and weighed against the ability of the petitioner to pay for closed captions.³³ The Commission has rejected suggestions "to consider only the resources available for a specific program" in making the determination of whether provision of closed captioning is economically burdensome.³⁴ Accordingly, if Tunuva supplements its Petition, it must include information and documentation regarding its financial resources for its overall organization, as described below:*

³¹ See Tunuva at 3-4.

³² See Tunuva at 4.

³³ *Anglers for Christ Ministries, Inc., et al.; Amendment of Section 79.1(f) of the Commission's Rules; Video Programming Accessibility*, Memorandum Opinion and Order, Order, and Notice of Proposed Rulemaking, 26 FCC Rcd 14941, 14950, ¶ 17 (2011) (*Anglers Reversal MO&O*) (explaining that consideration of a petitioner's request for exemption must take into account "the overall financial resources of the provider or program owner").

³⁴ *Id.*

- Provide information about all income and all expenses for the organization, as follows:
 - Provide a statement of all income (cash receipts) and all expenses for each of the two most recent completed calendar or fiscal years. Cash receipts include money received from all sources for the entire organization, not just the video program(s). Cash expenses include money paid for purchases, expenses, and settlement of obligations throughout the year for the entire organization, not just the video program(s). List, describe, and provide the dollar amount for each type of cash receipt (such as sales, donations, grants, earnings, revenues, dividends, or interest) and for each type of cash expense (such as wages, fees, supplies, rent, mortgage interest, depreciation, or taxes) for the two most recent completed calendar or fiscal years. Cash receipts and cash expenses must each be subtotaled. Tunuva must provide a total net dollar amount (sometimes called a surplus or deficit, or profit or loss) for all cash receipts and all cash expenses for each year. Note: In order to meet the requirement of this paragraph, Tunuva must provide this information in a stand-alone statement that explicitly lists this information. The submission of documents (such as tax returns, bank statements, or invoices) that may contain some of this information, but which does not explicitly list this information will not satisfy this requirement.
 - Provide audited financial statements or an accountant's review or compilation of financial statements for the two most recent completed calendar or fiscal years. If such statements have not been prepared by or for Tunuva, provide complete federal income tax returns or tax-exempt information returns, including all schedules and attachments, for Tunuva for the two most recent completed calendar or fiscal years, if such returns were filed. If Tunuva is a sole proprietorship, provide complete personal federal tax returns, including all schedules and attachments, for the two most recent completed calendar or fiscal years for the sole proprietor. If Tunuva is a Subchapter S corporation, limited liability company (LLC), professional corporation (PC), or partnership, in addition to the organization's tax returns, provide the complete personal federal tax returns, including all schedules and attachments, for the two most recent completed calendar or fiscal years for the shareholders or partners. Redact (black out) sensitive information, such as account numbers and social security numbers, before submitting personal tax returns or other documentation. If none of these documents have been prepared by or for Tunuva, it must provide a written statement to that effect.

- Provide information about the current assets and current liabilities of Tunuva's overall organization, as follows:
 - Provide a statement of all current assets and current liabilities of the overall organization as of the last day of the two most recent completed calendar or fiscal years. Current assets and current liabilities must each be totaled. List, describe, and provide the dollar amount for each type of current asset and current liability so listed. This requirement may be satisfied by providing complete balance sheets that identify current assets and current liabilities as of the last days of the two most recent completed calendar or fiscal years. Balance sheets that do not identify current assets and current liabilities do not satisfy this requirement. If Tunuva has no current liabilities, provide a statement to that effect.

- Current assets are any asset (or resource) as of the last day of the calendar or fiscal year that can be converted into cash within the following year.

- Examples of current assets for an individual or sole proprietor: cash; checking accounts; savings accounts; investment accounts including money market accounts; certificates of deposit and bonds that will mature within one year; stocks; and trust/endowment account amounts available for that year.
- Examples of current assets for a corporation: cash; accounts receivable; inventory; marketable securities; and prepaid expenses.
- Current liabilities are obligations (or debts) as of the last day of the calendar or fiscal year that must be paid within the following year.
 - Examples of current liabilities for an individual or sole proprietor: any loans (principal and interest) and mortgage payments (principal, interest, taxes, and insurance) due to be paid within one year; the balance of any credit cards as of the last day of the year; and unpaid bills as of the last day of the year (utility bills, and medical bills).
 - Examples of current liabilities for a corporation: accounts payable; accrued liabilities; notes payable; current portion of long-term debt; and taxes payable.
- Video programming distributor assistance. Verify that Tunuva has sought assistance (such as funding or services) from its video programming distributor(s) specifically for the provision of closed captioning on its programming. A distributor is any TV broadcast station, cable provider, or satellite system that shows Tunuva's program(s). State whether Tunuva has asked its distributor(s) to help Tunuva provide captions, whether this request was accepted or rejected, and, if accepted, describe the assistance that each distributor has offered to provide.
- Additional sponsorships. Verify that Tunuva has sought additional sponsorships (other than from its program distributor) or other sources of revenue specifically for the provision of closed captioning on its programming. State Tunuva's efforts to obtain such revenue, and whether these requests were accepted or rejected. If rejected, state whether Tunuva does not otherwise have the means to provide captioning. If accepted, describe the assistance that each sponsor has offered to provide. If Tunuva is precluded from seeking outside assistance or it cannot solicit and/or accept such sponsorships, provide the reason why it is unable to do so.

Tunuva's assertion that it could not pass on the cost of closed captioning to its clients does not satisfy this requirement.³⁵ Tunuva may satisfy this requirement by verifying that it sought to pass on the cost of closed captioning to its clients (along with the cost of production and air time), or sought other sources of revenue for closed captioning, whether those efforts were accepted or rejected, and, if rejected, whether Tunuva does not otherwise have the means to provide captioning. If Tunuva's request for captioning support was accepted, Tunuva may describe the assistance that its clients or others offered to provide.

- Tunuva's type of operations. Describe its overall operations.
- Affidavit or declaration. Tunuva's submission must contain a detailed, full showing, supported by a signed and sworn affidavit or signed declaration made under penalty of perjury attesting to the truthfulness and accuracy of the information and representations contained in its submission. An affidavit is a written statement made under oath, before an official who is authorized to administer oaths, such as a notary public or county clerk. A declaration is a written statement made under

³⁵ See Tunuva at 4-5, 7 (asserting that Tunuva could not pass on the cost of closed captioning to its clients).

penalty of perjury, such as “I declare under penalty of perjury that the information contained in this submission is true and correct.” (See 47 C.F.R. § 1.16.) The affidavit or declaration must be dated.

Tunuva may also include any additional information it deems relevant to the Commission’s final determination and any available alternatives that might constitute a reasonable substitute for the closed captioning requirements including, but not limited to, text or graphic display of the content of the audio portion of the programming.³⁶

Because of the public nature of FCC proceedings, Tunuva’s submission, as well as any supporting financial or other information provided, will be available for inspection by the general public. If Tunuva’s submission contains some specific information that it would like not to be made routinely available for public inspection, it may request its “confidential treatment”, pursuant to FCC rules. (See 47 C.F.R. § 0.459.) If Tunuva seeks such treatment, it must identify the *specific* information which it would not like to be made available to the general public and provide the basis for its request, for example, that the information is proprietary financial information, contains a trade secret, or is legally privileged. Also describe how disclosing the information to the general public may cause it substantial competitive harm. Tunuva must also submit a second version of its submission with the confidential information redacted (removed or blacked out). This second version must be submitted along with Tunuva’s request for confidential treatment. The redacted version (*i.e.*, the version that does not contain the confidential information) will be disclosed publicly. If Tunuva’s request for confidential treatment is granted, the “public version” of its submission must still contain sufficient documentation to support its claim that closed captioning would be economically burdensome. This documentation is needed so that members of the public have notice of the basis for Tunuva’s exemption request and can comment on its merits.

If the Bureau determines that Tunuva’s Petition, as supplemented by its response to this letter, provides sufficient information upon which to make a determination of whether or not to grant a closed captioning exemption, we will place its Petition on public notice under Docket No. 06-181 at <http://fjallfoss.fcc.gov/ecfs>. Members of the public will then have 30 days to file comments on and/or oppositions to Tunuva’s Petition, including the supplemental information it has provided in response to this letter, after which Tunuva will have 20 days to respond. At the end of this timeframe, the Bureau will review Tunuva’s Petition, along with any comments and responses received, to determine whether Tunuva has demonstrated that providing closed captions would be economically burdensome. If Bureau denies Tunuva’s Petition, it will have 90 days from the date of its notification of the denial to begin captioning.

If Tunuva does not supplement the Petition with all of the updated information and documentation requested in this letter within 30 days of the date of this letter, we will conclude that Tunuva has failed to support its exemption request with adequate explanation and evidence, and will dismiss the Petition. In the event of such dismissal, Tunuva will be required to begin providing closed captioning for its program(s) within 90 days of the date of our notification to it that the Petition has been dismissed.

³⁶ 47 C.F.R. § 79.1(f)(3). Tunuva mentions that the provision of captions may not be possible due to its tight production schedules. See Tunuva at 5. Although Tunuva may include information about its production schedules and the difficulty in providing closed captioning for its program based on that schedule as part of a new petition for exemption based on economic burden, we caution that all television programs that are subject to the Commission’s closed captioning rules must adhere to strict production schedules. For this reason, unless Tunuva can prove that its circumstances are unique in this regard, it is not clear whether having to comply with such schedules would be determinative of a captioning exemption.

Instructions for the **electronic filing requirements** for petitions and supplemental information are provided below and available at <http://www.fcc.gov/encyclopedia/economically-burdensome-exemption-closed-captioning-requirements>.

Please direct questions about this process to captioningexemption@fcc.gov.



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

Enclosure

Instructions for Filing a Supplement to a Closed Captioning Exemption Petition

Tunuva's supplemental information must be sent to the FCC by e-mail to captioningexemption@fcc.gov. Petitions and supplemental materials may not be filed directly on the FCC's Electronic Comment Filing System (ECFS). 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. 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, supporting information, and documentation via e-mail. For more information about this electronic filing procedure, visit: <http://www.fcc.gov/encyclopedia/economically-burdensome-exemption-closed-captioning-requirements>.

Tunuva must include its case identifier number, which is located at the top of this letter, and CG Docket Number 06-181 in all correspondence with the FCC regarding its petition.