

March 27, 2015

*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 · PRM11CG**

Dear Ms. Dortch,

On March 25, 2015, Claude Stout of Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI), Andrew Phillips of the National Association of the Deaf (NAD), Lise Hamlin of the Hearing Loss Association of America (HLAA), Christian Vogler of the Technology Access Program at Gallaudet University (TAP), and I met with Karen Peltz Strauss of the Consumer and Governmental Affairs Bureau, Greg Hlibok, Eliot Greenwald, Suzy Rosen Singleton, and Caitlin Vogus of the Disability Rights Office, Diana Sokolow and Steve Broeckert of the Media Bureau, and Susan Aaron of the Office of General Counsel about the above-referenced proceeding.

We expressed our strong desire to work with captioning vendors to find a mutually agreeable solution to objectively differentiate captioning services on the basis of both quality generally and accuracy specifically. While we reiterated our opposition to the February 19, 2015 request for waiver and petition for rulemaking filed by several captioning vendors and the arguments expressed in that filing, we fully agreed that the ultimate goal of the Commission's rules is the improvement of caption quality across the board.<sup>1</sup> We noted our concern that, according to some captioning vendors, some video programmers are still pursuing cut-rate captioning services at the expense of quality, and agreed that further Commission action may be necessary to ensure that programmers have appropriate incentives to seek out high-quality captioning services. We reiterated our commitment to engage in further dialogue with vendors to ensure that the promise of equal access to video programming comes to fruition and appreciate the Commission's willingness to facilitate such dialogue.

Relatedly, we agreed with Commission staffers' observation that programmers must retain responsibility for ensuring the quality of closed captions and cannot simply pass quality certifications from captioning vendors on to video programming distributors to satisfy the Commission's certification rules. We believe programmers should take a

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<sup>1</sup> See *Opposition of TDI, et al., CG Docket No. 05-231 (Mar. 17, 2015) to Petition for Rulemaking and Request for Waiver of the National Court Reporters Association (NCRA), et al., CG Docket No. 05-231.*

similar level of responsibility for the captions in their programming as they do for the audio and video and should provide their own independent certifications that captions are intact and of high quality. We also expressed our support for the Commission's pending provision of guidance regarding the responsibility of programmers and distributors to report noncompliance with the Commission's certification rules. Finally, we urged the Commission to move swiftly to finalize changes to its rules for caption responsibility and certification to ensure that all entities in the video programming ecosystem have the necessary incentives to ensure that their programming reaches consumers with high-quality captioning.

Please don't hesitate to contact me if you have any questions regarding this filing.

Respectfully submitted,

/s/

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CC: Meeting attendees