



Federal Communications Commission  
Washington, D.C. 20554

March 31, 2015

Steven Turner, CEO  
Interconnect Media Network Systems, LLC  
c/o Eric M. Page, Attorney at Law  
LeClairRyan  
Riverfront Plaza, East Tower  
951 East Byrd Street, Eighth Floor  
Richmond, VA 23219

Re: Case Identifier: CGB-CC-1356  
CG Docket No. 13-318  
Petition for Closed Captioning Exemption  
Request for Supplemental Information

Dear Mr. Turner:

This letter concerns your Petition for exemption from the Federal Communications Commission's (FCC's) closed captioning requirements. After reviewing your Petition, the Consumer and Governmental Affairs Bureau (Bureau) has determined that additional information, as set forth below, is required to enable us to determine whether the programming that is the subject of your Petition should be exempted from the FCC's closed captioning requirements because captioning such programming would be economically burdensome to your organization.

Specifically, your Petition included information about the names of the websites, the impact of captioning on the operation and program, the financial resources, verification that you sought additional sponsorship sources, and a description of the type of overall operations. We conclude, however, that because your Petition is missing required information, we cannot take further action on it.

If you wish for your Petition to receive further consideration for a closed captioning exemption, you must supplement your Petition by providing us with the information described below **by April 30, 2015**, which is 30 days from the date of this letter:

- The nature and cost of the closed captions for the programming. Provide information about your organization's costs associated with closed captioning each specific program for which you are requesting an exemption, and your efforts to find companies that can provide captioning at a reasonable cost.
- The FCC's rules require that video programming owners, distributors, and providers send program files with captions to distributors and providers. For your benefit, here is the language of the pertinent rules:  
47 C.F.R. Sec. 79.4(c) *Obligations of video programming owners, distributors and providers*—  
(1) *Obligations of video programming owners.* Each video programming owner must:

(i) Send program files to video programming distributors and providers with captions as required by this section, with at least the same quality as the television captions provided for the same programming. If a video programming owner provides captions to a video programming distributor or provider using the Society of Motion Picture and Television Engineers Timed Text format (SMPTE ST 2052-1:2010, incorporated by reference, *see* §79.100), then the VPO has fulfilled its obligation to deliver captions to the video programming distributor or provider in an acceptable format. A video programming owner and a video programming distributor or provider may agree upon an alternative technical format for the delivery of captions to the video programming distributor or provider.

(ii) With each video programming distributor and provider that such owner licenses to distribute video programming directly to the end user through a distribution method that uses Internet protocol, agree upon a mechanism to inform such distributors and providers on an ongoing basis whether video programming is subject to the requirements of this section.

*Your petition does not show that you have asked the program sources whether the programming has been aired on television with captions, and if so, that you be sent the captioned versions of these programs. If programming sources refuse to provide you with this information, please submit the names of these sources, since such actions might not be in compliance with the rules.*

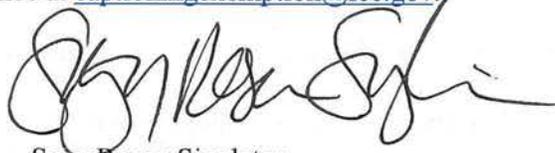
- **Affidavit or declaration.** Your submission must contain a detailed, full showing, supported by a signed and sworn affidavit or signed declaration made under penalty of perjury attesting to the truthfulness and accuracy of the information and representations contained in your submission. An affidavit 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 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.

*Your submission was not accompanied by an affidavit or declaration as described above. Please submit one that will attest to the truthfulness and accuracy of the information contained in both your initial and supplemental materials.*

If the Bureau determines that your Petition, as supplemented by your 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 your Petition on public notice under Docket No. 13-318 at <http://fjallfoss.fcc.gov/ecfs>. Members of the public will then have 30 days to file comments on and/or oppositions to your Petition, including the supplemental information you have provided in response to this letter, after which you will have 20 days to respond. At the end of this timeframe, the Bureau will review your Petition, along with any comments and responses received, to determine whether you have demonstrated that providing closed captions would be economically burdensome. If Bureau denies your Petition, you will have 90 days from the date of your notification of the denial to begin captioning.

**If you do not supplement your 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 you have failed to support your exemption request with adequate explanation and evidence, and will dismiss your Petition. In the event of such dismissal, your organization will be required to begin providing closed captioning for your program(s) within 90 days of the date of our notification to you that your Petition has been dismissed.**

If you have questions pertaining to this letter or the information and materials requested herein, please contact the FCC's Disability Rights Office at [captioningexemption@fcc.gov](mailto:captioningexemption@fcc.gov).

A handwritten signature in black ink, appearing to read 'Suzy Rosen Singleton', written in a cursive style.

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

## **Instructions for Filing a Supplement to a Closed Captioning Exemption Petition**

Send your supplemental information by e-mail to [captioningexemption@fcc.gov](mailto:captioningexemption@fcc.gov). Petitions and supplemental materials may not be filed directly on the FCC's Electronic Comment Filing System (ECFS) or by U.S. mail. 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](mailto: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-video-programming-deli>.

**You must include your case identifier number, which is located at the top of this letter, and CG Docket Number 13-318 in all correspondence with the FCC regarding your petition.**