

As a TV viewer, I am writing comments regarding the NPRM (FCC 05-142) on the quality, consistency and accuracy of captioning of video programs based on the Commission's closed captioning rules. Following are my comments in the matter of closed captioning of video programming:

1. Video programming distributors, for example Cox Communications and Direct TV, are required to have 100 percent of their new programming to be closed captioned as of January 1, 2006, including programs first published or exhibited on or after January 1, 1998. Based on the requirement, I recommend that the video programming distributors are required to ensure compliance closed captioning of their new programming, instead of "passing the buck" to the network providers. In my complaint that I made to FCC (File No. 04-N92916), FCC mandated that Cox Communications to resolve the complaint. Cox found that the problem was with the CNN Network and indicated to me verbally that it was my responsibility to contact CNN to resolve the captioning problems of their news programs, including re-runs of Larry King Live.

I also recommend that it is video programming distributors' full responsibility to monitor of captioning of their program networks, instead of putting the burden of monitoring and communicating with networks such as CNN on deaf and hard of hearing viewers.

2. I disagree with FCC's exemption of video programming distributors that air programs from outside United States of America from FCC's closed captioning rules. For example, Direct TV provides RAI and it is not at all captioned in Italian. That would require video programming distributors including Direct TV to mandate captioning requirements of any programs from English to Spanish to Italian to Chinese. Globally, closed captioning "would create access to people with hearing disabilities" and "serve as an important learning tool for both children with hearing disabilities and children without hearing disabilities learning to read," (FCC 05-142, p. 2) and for millions of persons learning foreign language to improve their educational and cultural awareness and comprehension in all levels and parts of the world. I recommend that FCC establish a phase-in schedule of captioning of new foreign programs that are aired in USA in their respective languages.

3. I have encountered frustrations when the captions are not on for the first hour of a two-hour movie. I have encountered captions turned off five minutes before the end of the show. By reviewing my FCC complaint (File No. 04-N92916), I find that it is very common to see "captions appear on a national program in one locality but not another"

(FCC 05-142, p. 8). I support TDI assertion that FCC adopts “additional mechanisms and procedures to prevent problems from occurring and to expeditiously remedy any technical problems that do arise” (FCC 05-142, p. 8).

4. There were times that I found that the captions go off when watching a good TV show. I then had called the station to alert them, and I usually was answered by an answering machine at the front desk during the evening hours. TV Stations must publicize TTY and voice telephone numbers that will be answered live, especially on their Internet. I recommend that TV stations establish the 24/7 “chat” or an instant messaging feature on their Internet for their technicians to be accessible to respond “on-the-spot” to viewers’ captioning issues.

5. FCC’s rules require that, when television broadcasters provide emergency information, they must make sure that such information is accessible to the deaf and the hard of hearing. Broadcasters still define vaguely as to what avenues emergency information is visually accessible to the deaf and hard of hearing viewers.

In my FCC No. 05-N94237 complaint against two broadcasters for not making a tornado warning visually accessible, I stated that I didn’t know what areas in where I lived was being affected. The two broadcasters responded by saying that they did scroll an “I-bar” and show street level radar maps. Their responses had put me in a difficult position, especially after initiating my attempt to make a valid complaint, because I had no idea of what information that I missed. I didn’t know what was being said without any text or captions in the first place, except for seeing the “hurricane warning” text.

I strongly recommend that FCC rewrite the rules that the access of deaf and hard of hearing viewers to visual emergency information is limited to the use of captions or “caption like” texts.

6. Since FCC’s decision in 2000, I have become one of the viewers of video programming providers in the 25 largest markets rated by Nielsen’s rating to count real-time captioning of news. Other than FCC’s requirement of non-broadcast networks, including cable, which serve at least 50% of households subscribing to video program to caption their news programs, all others may caption with electronic newsroom technique (ENT).

When I was in Auburn, Alabama early this week, I was watching local news from Columbus, Georgia via ENT. By coming from one of the 25 top television markets, I found myself watching ENT frustrating because news programs during live news,

breaking news, live interviews, sports reports and weather updates are not captioned. Limited captioning is not “functionally equivalent” for people who depend on full visual access to such information.

I agree with TDI’s statement that the use of ENT in news programs should be prohibited because it “does not provide a quality captioned end product to consumers” (FCC 05-142). I recommend that the Commission to extend and enforce captioning requirements on all broadcasters beyond Nielsen’s Designated Market Areas and national broadcast networks serving at least 50% of all subscribers of multi-channel programming services.

In conclusion, the FCC should revise and establish reporting requirements, along with its complaint process and compliance audits. To ensure accountability of video programming distributors in monitoring, improving and assuring the quality of captioning of their TV programs, I recommend that FCC consider outsourcing a firm for provision of quality-assurance monitoring of closed-captioning of TV programs that are FCC non-exempted. I support the original petition of TDI that FCC should levy punitive fines on video distributors for noncompliance with FCC’s captioning rules. In addition, the distributors must take immediate resolution of technical problems shown in their captions to ensure continuous, consistent and accurate captioning of their programs. I cannot emphasize enough that it is my hope that FCC will take comments from deaf and hard of hearing TV viewers into primary consideration. Please support the original petition filed by the NAD, TDI, SHHH, DHHCAN and ALDA. Such comments serve as an important asset for FCC to create and/or revise their captioning rules to a criterion that is “functionally equivalent” to hearing TV viewers. Thank you for giving me the opportunity to provide my comments as a TV viewer.