

CGB-CC-0039

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ECC - MAILROOM



**firstbaptistlavaca**  
"A Lighthouse for the River Valley, the Nation, and the World"

REFERENCE: CGB-CC-0039

Amelia Brown, Disability Rights Office  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

1-16-06

To Whom It May Concern:

In response to your letter dated December 22, 2005, this document is to supply you with the affidavit needed to complete our petition request.

I, Terry Hurt, do so promise that the supportive information submitted is correct to the very best of my knowledge. All figures are correct as stated and have not been misrepresented in any manner.

If you need further information or I can be of further assistance please feel free to contact me.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Terry Hurt".

Terry Hurt  
terry@fbclavaca.com  
479.651.2173

Dr. Grant Ethridge,  
Senior Pastor

100 West Main St.  
P.O. Box 170  
Lavaca, AR 72941

Tel: 479.674.2293  
Fax: 479.674.5350  
www.fbclavaca.com



**firstbaptistlavaca**

"A Lighthouse for the River Valley, the Nation, and the World"

RECEIVED & INSPECTED  
DEC 16 2005  
FCC - MAILROOM

Commission's Secretary  
Office of the Secretary  
Federal Communications Commission  
Attention: CGB Room 3-B431

12-15-05

To Whom It May Concern:

This is a formal petition for exemption to the Closed Captioning requirements on the basis of undue burden (47 C.F.R. & 79.1 (f)).

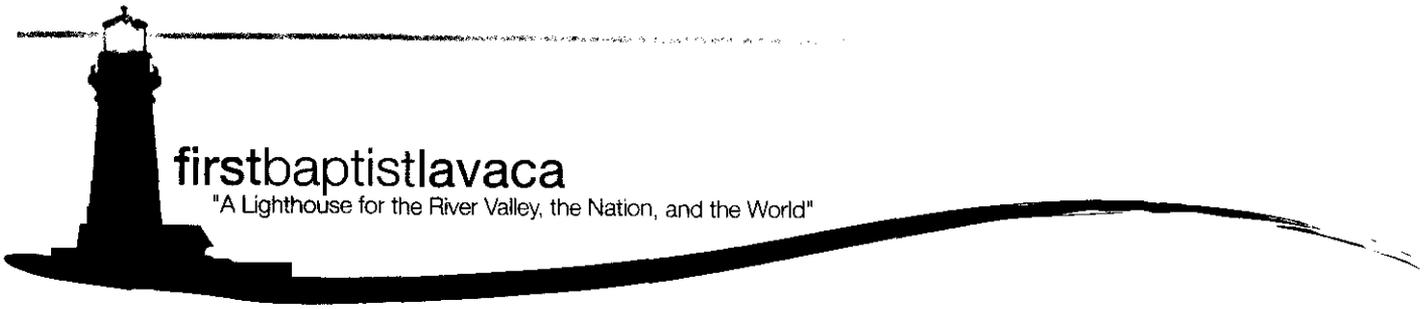
First Baptist Lavaca's broadcast is a local production of weekly church worship services. We are a small church located outside of Fort Smith, Arkansas. The program began two years ago as a ministry to inform local residents of the church's location, various ministries offered, style of worship, and to offer general religious teaching. The broadcast is aired locally in the River Valley of Western Arkansas, and we have no immediate plans to extend the viewing base beyond our current location.

First Baptist Lavaca does not employ a large broadcast media staff. The church staffs one full time manager position and one part time editor. The cost of providing additional staff positions to supply in house captioning is not a possibility for us.

We have also looked into purchasing the software and equipment in order to do our own closed captioning encoding, however, this proposition has proven to be expensive and time consuming with a steep learning curve. With our limited base of man power already exhausted, it would prove to be more work than we could accomplish.

We have also looked into having the program captioned and encoded by an outside third party. We have been quoted \$450 to \$600 per week for our program. This expense would create a serious hardship on our working budget to provide weekly captioning.

The financial base for the purchase of airtime comes from private volunteer donors and a few local businesses who help support the airing of this local broadcast. The church does not generate any income from the broadcast regarding sales of product or soliciting support funds.



I have sought captioning assistance from the distributor (KHBS) asking them to provide captioning as a service. They have responded with a temporary solution but one that is also very expensive making it prohibitive in our situation. I have enclosed a copy of their letter to me.

I have also enclosed a 2004 financial statement for your review in support of the financial burden that captioning would impose upon our church and media ministry.

Thank you for your consideration in this matter.

Respectfully Submitted,

Terry Hurt  
Worship Pastor  
Executive Producer  
First Baptist Lavaca  
terry@fbclavaca.com



firstbaptistlavaca

"A Lighthouse for the River Valley, the Nation, and the World"

December 15, 2005

Commission's Secretary  
Office of the Secretary  
Federal Communications Commission  
Attention: CGB Room 3-B431

To Whom It May Concern:

Upon reviewing our records, we have made a comparison chart of our income verses expenses for the year 2004. You will find this chart enclosed.

If you have further questions, please feel free to contact me at 479.674.2293.

Sincerely,

Norma Green  
Financial Secretary

/ng

Encl.

Dr. Grant Ethridge,  
Senior Pastor

100 West Main St.  
P.O. Box 170  
Lavaca, AR 72941

Tel: 479.674.2293  
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[www.fbclavaca.com](http://www.fbclavaca.com)

**HOMETOWN NEWS**  
KHBS FORT SMITH • KHDS FAYETTEVILLE



December 15, 2005

Mr Terry Hurt  
First Baptist Church - Lavaca

Terry,  
Per our earlier phone conversations and e-mails, I have found a way for the station to add closed captioning to your program. Keep in mind that this is a temporary solution as we will be using equipment that is not made for this purpose. We have found a way to import your script into our teleprompter and marry it to the video using our master control room's mixing board. This mixing board is used for the newscast so finding time to use it will be difficult. I will have to hire someone to run it for me and the cost for this will be \$100 an hour. I estimate my weekly charge to you at \$200, which would equate to an annual cost of \$10,400. Keep in mind that this equipment is not designed for this purpose and can only be used as a temporary solution.

Terry we have enjoyed a wonderful relation with your church and hope that we can continue to work with you through this transition.

Regards,

Mark McGeary  
KHBS-TV

**KHBS**

1415 N. ALBERT PIKE, FORT SMITH, AR 72904-5698  
479-783-4040 FAX: 479-785-5375

**Hearst-Argyle**  
TELEVISION, INC.

**KHDS**

15 N. CHURCH, FAYETTEVILLE, AR 72701-5911  
479-521-1010 FAX: 479-521-9124

T H E H O M E T O W N C H A N N E L . C O M

2004	INCOME	EXPENSES	OVER/UNDER
January	\$ 99,975.47	\$ 105,351.79	\$ (5,376.32)
February	\$ 152,158.74	\$ 103,659.56	\$ 48,499.18
March	\$ 109,796.34	\$ 118,564.30	\$ (8,767.96)
April	\$ 114,196.34	\$ 114,917.34	\$ (721.00)
May	\$ 133,211.41	\$ 114,051.04	\$ 19,160.37
June	\$ 116,274.76	\$ 168,040.79	\$ (51,766.03)
July	\$ 108,383.87	\$ 133,781.82	\$ (25,397.95)
August	\$ 154,503.57	\$ 112,871.66	\$ 41,631.91
September	\$ 110,057.71	\$ 135,970.25	\$ (25,912.54)
October	\$ 155,517.07	\$ 124,430.40	\$ 31,086.67
November	\$ 109,869.93	\$ 108,507.14	\$ 1,362.79
December	\$ 137,788.43	\$ 161,587.55	\$ (23,799.12)
<b>TOTALS</b>	\$ 1,501,733.64	\$ 1,501,733.64	\$ -