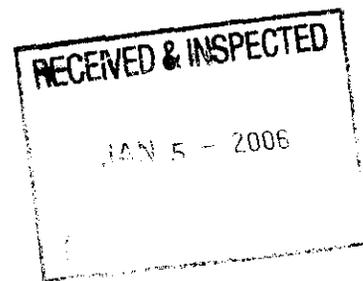


BEFORE THE FEDERAL COMMUNICATIONS COMMISSION

Attn: Secretary's Office
Closed Captioning
445 12th Street, S.W.
Washington, D.C. 20554



In re dpi Production Company,
Jay Huseby, Petitioner.

PETITION FOR EXEMPTION

Part 79.1 Section (F)

Compliance would impose an undue burden & request for authorization re reasonable substitute for the closed captioning requirement

The type of operations of the provider or program owner

dpi production company LLC is owned and operated by Jay D Huseby, has no employees and the business's primary source of income is production of a local weekly one half hour real estate show that has multiple feature spots for individual properties. The show airs on CBS affiliate WSAW, channel 7, Sunday at 9:30 AM, Wausau, Wisconsin.

The nature and cost of the closed captioning for the programming

The video program would have be converted to an audio format, burned to an audio CD and contracted out for transcription to text format. Once transcribed, the text document would be delivered to WSAW where a designated employee would have to match the audio portion with the text, enter the text into the roll-up, newsroom-captioning machine while the show airs, LIVE. The cost for the captioning process including contracting and labor would be approximately \$15,600 per year.

The impact on the operation of the provider or program owner

The \$15,600 per annum captioning cost would result in nearly a 50% increase in production costs and would most likely force dpi Production Company to discontinue production of the real estate show.

In addition, I am extremely concerned with the prospect of human error. If a mistake is made during the transcription or the entering of text into the captioning machine, it is my understanding that an exorbitant fine may be imposed.

The financial resources of the provider or program owner, including efforts to solicit captioning assistance from the distributors of its programming and the distributors' responses.

dpi Production Company has no financial resources available for closed captioning at this time. dpi did successfully contact the participants of the show for an annual increase of \$1352.00 to help offset the closed captioning costs. dpi was also able to secure Advantage Community Bank, Wausau, as a partial sponsor at \$1800.00 per annum. Despite the company's best efforts, there would still be \$12,448.00 annual deficit.

Other factors the petitioner deems relevant to the Commission's final determination.

I am new to broadcast production and was just recently informed of the Jan 1 2006 deadline. I am hopeful that the alternatives provided in the next section are reasonable substitutes for closed captioning. If not, I would like to continue to solicit captioning assistance until I am able to implement the plan outlined above. Ultimately I would prefer to find a better solution... one that will take human error out of the equation

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

Each "real-estate spot" in the half hour show is approximately 25 seconds in duration. The spot generally consists of four photographs, titling, graphics and audio commentary about the property. In most circumstances, the audio portion of "the spot" describes what is contained within the photo. For example, a photo of a kitchen with a snack bar will appear on the screen and the dialogue for that photo would be "this home also features an eat-in kitchen with wonderful snack bar". The next photo may be a family room with a large stone fireplace and built in entertainment center. The dialogue would be "wonderful family room with built in entertainment center and huge stone fireplace". Another photo may be of a large, 3-car garage and the dialogue may be "large 3 car garage for all your toys". This is not the case with every spot but it is the rule rather than the exception. In addition to the photos, every single spot contains a plethora of text information superimposed over the screen for the duration of the spot, including the real estate agent's full name, phone number, the realtors agency, the area the property is located, the price and a unique id number for ease of property identification. At the end of each spot there is a photo of the agent, with his/her phone number and office they represent.

AFFIDAVIT

State of Wisconsin

County of Marathon

Before the undersigned, an officer duly commissioned by the laws of _____, on this 29th day of December 2005, personally appeared Jay Huseby who having been first duly sworn depose and say:

The statements contained in this petition are true and accurate

Witness: Fabricia Water 12-29-05

Sworn and subscribed before me this 29th day of December A.D. 2005

Shirley Ciszewski

