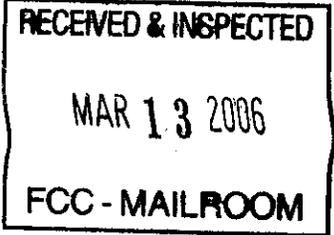




Baptist Temple



March 8, 2006

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

Reference: CGB-CC-0105

Dear Ms. Brown,

I am writing in reference to your February 2, 2006 request for information. In your request you note the petition is incomplete. Enclosed you will find the necessary affidavit (Exhibit A). Moreover, I also believe I have not communicated the essence of our situation properly so I will attempt to do so herein.

As defined in 47 C.F.R. 79.1 (2), "undue burden" is taken to mean "...significant difficulty or expense." We were informed by our local station's attorney during the fall of 2005 that our program was exempt. Then on December 6, 2005 we were notified that the information was not valid (please find enclosed correspondence, Exhibit B). It is this late notice--especially in the midst of the holiday season-- that made it significantly difficult to meet the deadline imposed by the Commission. We do not have any financial concerns, per se; therefore, it would be difficult to put forth factors related to such concerns. Also, we do not wish to propose any alternatives to captioning as we agree to provide this valuable service to our audience.

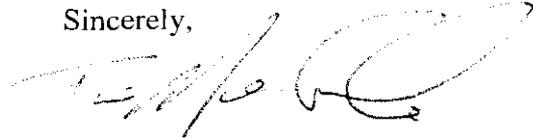
It is our desire and intent to perform all closed captioning in house. I have recently attended the National Religious Broadcasters annual convention to explore our options for software and equipment. We are near a decision on a vendor and expect to implement closed captioning by April 15, 2006. Should our in-house capability be delayed for any reason we will out-source the closed captioning of the program until such time our equipment is fully operational.

We will cooperate to the fullest extent in implementing these changes. Please advise us as to the feasibility of this request by contacting me via one of the following means:

US Mail at address contained herein  
e-mail: [tmensendiek@kcbt.org](mailto:tmensendiek@kcbt.org)  
Voice phone: 816-358-0988, ext 2069  
FAX: 816-358-3439

I look forward to your response.

Sincerely,

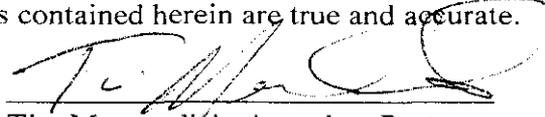
A handwritten signature in black ink, appearing to read 'Tim Mensendiek', with a large, stylized flourish at the end.

Tim Mensendiek  
Associate Pastor

Enclosures:  
Exhibit A  
Exhibit B

**EXHIBIT A**

I, Tim Mensendiek, Associate Pastor of the Kansas City Baptist Temple, have reviewed the Petition for Exemption for Closed Captioning Requirements and supplemental Exhibits filed on behalf of the Kansas City Baptist Temple. In the matter, and upon information and belief, I attest the statements contained herein are true and accurate.



Tim Mensendiek, Associate Pastor

3/8/06

Date

EXHIBIT B

**Mensendiek, Tim**

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**From:** Wendy Baker [Wendy.Baker@thewbkc.com]  
**Sent:** Tuesday, December 06, 2005 11:48 AM  
**To:** Mensendiek, Tim; fotog5@juno.com  
**Subject:** FW: Closed Captioning  
**Attachments:** closed captioning 2006-one-page summary.pdf; closed captioning 2006-client handout.pdf

Hey guys-

I have some good news and bad news. The bad news is that our parent company just told us today that they have reversed their decision about closed captioning being exempt from religious paid programming. Apparently our lawyer informed us with the incorrect information.

However, I am attaching 2 forms for you...one is instructions about how to file for a waiver with the FCC, which could take up to 6-8 months. The second form is for you to fill out and turn back into us. If we have that on file, then we can continue running your paid spot without CC until you hear back from the FCC. Essentially it will buy you some time until there is a determination.

I'm sorry to have to deliver the news, but please let me know if you have any questions.

Thanks!  
Wendy