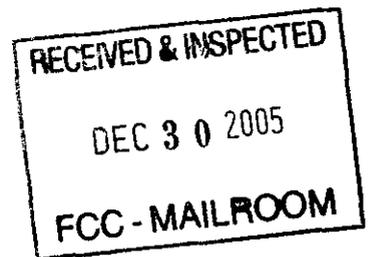


CGB-CC-0149



Sharing the Love of Jesus Christ
FIRST UNITED METHODIST CHURCH



December 29, 2005

Federal Communications Commission
Secretary's Office
Attn: CGB Room 3-B431
Closed Captioning
9300 East Hampton Drive
Capitol Heights, MD 20743

RE: REQUEST FOR EXEMPTION FROM COMMISSION'S
CLOSED CAPTIONING RULES

First United Methodist Church in Shreveport, Louisiana (FUMC) respectfully offers this petition for exemption from closed captioning requirements effective January 1, 2006, as compliance with the rules will result in an undue burden on the broadcast ministry of the church. 47 C.F.R. §79.1(d).

FUMC broadcasts on local television once a week for one and a half hours of airtime on two stations. We are a non-profit religious organization exempt from federal income taxes. The purpose of the organization is evangelistic. Our church hosts three formal worship services, administers and supports various auxiliary programs including local, national and international missions, counseling and support group ministries and various Bible teaching programs to members of the community in all walks of life.

The church's multimedia outreach program extends the ministry beyond the walls of FUMC via electronic, print and other media outlets. By policy and practice, we have never engaged in selling products or soliciting donations from those who view our live worship service broadcasts. Additionally, we neither solicit nor accept sponsorships or advertising. We are not in the televangelism business; we do not sell books or records nor do we promote the "preaching ministry" of our pastor. All church programs are funded by contributions from church members

and our viewing audience. Our purposes in broadcasting our services are to reach those who are resistant to regular church attendance and to reach those who are acutely or chronically infirmed or invalid, which allows these members of our community to worship with their fellow congregants.

FUMC believes our programming qualifies for exemption because implementing closed captioning would be an undue burden on our organization. The term "undue burden" is defined as a significant difficulty or expense. 47 C.F.R. § 79.1 (f). For the following reasons, implementing closed captioning on FUMC's television programming would be an undue burden:

- FUMC is a donor supported, non-profit organization with a total budget income from all sources totaling \$2,558,753.00 in 2004. Our budgeted funds are exhausted, essentially in their entirety, in service of the various missions, ministries and programs we support.
- The cost of airing our television ministries each week exceeds \$120,000 annually.
- Because we broadcast live to air one of the broadcasts, our options for closed captioning seem limited to 1) voice-recognition software, 2) an on-site stenographer plus the serial digital interface required for encoding text in the vertical blanking interval, or 3) a real-time captioning contract with a remote stenographer and two toll-free telephone lines for the out/in captioning feed.
 - With option #1, we are aware that the greatest accuracy figures advertised by even the most expensive voice-recognition equipment is 76% based on the unit's installed lexicon of 'commercial' business language. Clerical/theological terms regularly encountered in traditional worship attenuate the accuracy figures into an unacceptably low range of understanding. Our hearing impaired guests will not be well-served by our compliance with closed captioning mandates. Rather, they will be annoyed and distracted, with at least 35% of the message decoded into

meaningless symbols or strange, new, syntax-less word combinations.

- With option #2, similarly situated local churches have exhaustively searched for trained court stenographers in this region of the country who are both willing to accept well-paid Sunday employment [\$40/hr], willing to add/learn the clerical/theological words required for worship broadcasting and able to accept the pressure of a weekly, hour and a half long service, but their search has been completely fruitless. The search was a joint effort with local court officials, including judges and attorneys, and was conducted in conjunction with other area churches who broadcast similar programming.
- With option #3, we understand that another local church has made preliminary contact with two of the real-time captioning companies in different parts of the country. One of these companies, CaptionMax, Inc., has quoted \$180/hr for real-time closed captioning services. Another company, Aberdeen Captioning, has quoted \$135/hr for this service. Both would require the addition of two digital toll-free telephone lines for in/out access. Both quotes require long term contracts. Furthermore, the validity and reliability of these firms are highly suspect and unproven even as we contract their expensive services or risk standing in violation of the FCC broadcast requirements.

We have estimated that implementing this service for the two stations that broadcast our services would cost the church approximately \$70,000, an increase of over 58% of our current broadcasting costs.

We are currently offering alternatives to closed captioning. For example, FUMC provides hearing enhancement devices during the church services. This serves a similar purpose to the requirement of closed captioning and our service goes a step further by allowing these members of our community to actively participate in the community of worship with their fellow congregants.

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We respectfully request that FUMC be granted an exemption from the closed captioning requirements based on the undue burden of compliance. If you have any questions or need further information, please do not hesitate to contact us at any time. Thank you for your thoughtful and reasonable consideration of our request.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Jay Sawyer". The signature is written in a cursive style with a large initial "S".

S. Jay Sawyer
Business Administrator

ccs: KTBS TV
KTAL TV

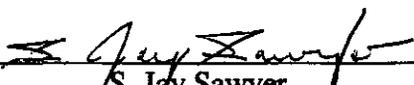
AFFIDAVIT OF S. JAY SAWYER

STATE OF LOUISIANA

PARISH OF CADDO

BEFORE ME, the undersigned Notary Public in and for the state and parish aforesaid, personally came and appeared S. JAY SAWYER, who, after being first duly sworn, deposed that:

1. My name is S. Jay Sawyer, I am over the age of 18 years and make this Affidavit based upon my personal knowledge.
2. I reside in Shreveport, Caddo Parish, Louisiana, and am employed as Business Administrator of the First United Methodist Church in Shreveport, Louisiana (FUMC), Head of Texas Street, P.O. Drawer 1567, Shreveport, Louisiana 71165-1567.
3. On behalf of FUMC, I respectfully submit herewith to the Federal Communications Commission my December 29, 2005 letter requesting exemption from the Commission's closed captioning rules.
4. The information contained in my letter is true and correct to the


S. Jay Sawyer

SWORN TO AND SUBSCRIBED before me, Notary Public, on this
29 day of December, 2005.

 #055387
Notary Public in and for
Caddo Parish, Louisiana