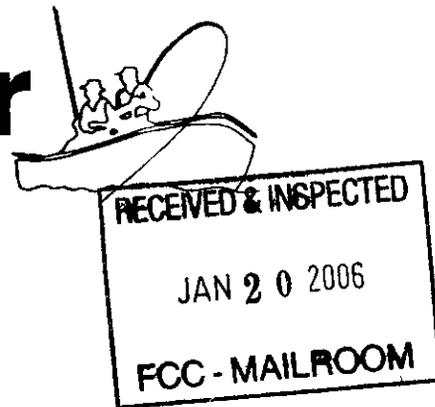


On The Water

The Angler's Guide To New England

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



Office of the Secretary:

This letter is a request for an exemption from the closed captioning requirement for television programming. Our regional television show, Fishing New England, airs on the FSN New England channel in the New England states.

We are currently the only independently produced outdoor regional program aired on FSN New England and they do not offer closed captioning services to us, therefore the burden and expense falls on us.

Our television show uses diagrams and illustrations whenever possible to visually educate our viewers on different fishing and tackle techniques. Many of our shows highlight visual battles with fish with music tracks playing in the background.

We began airing on FSN New England in September of 2005 and I have outlined our expenses and revenues collected below:

Air time on FSN New England: \$2,000.00 per week (invoice attached)
Editing Cost: \$1,260.00 per show (invoice attached)
Employee Cost: \$770.00 per week (ADP payroll summary sheet attached)
Show Production including cameras, cameramen, tape, expenses averages: \$800.00 per episode
Closed Captioning: \$285.00 per show (BCS quote attached)

Adding these expenses together and accounting for only half of the expense of editing and production , accounting for reruns, the total expense per week comes to: \$3,800 per week. With closed captioning the cost goes to \$4,085.00

Revenue for the same period of 13 weeks from the last week of September 2005 equals \$43,689.00 in total. The per week average is only \$3,360.00. (Payments posted for this period are included as an attachment)

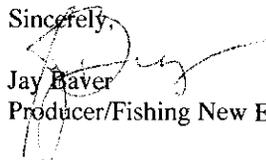
As you can see, we are struggling to break even without the additional burden of closed captioning. On average we currently lose \$440.00 per week. Adding in the expense of closed captioning we lose \$725.00 per week.

We are searching for an advertiser to sponsor our closed captioning, but have not found one yet. As more advertisers sign on and we have turned the corner financially we will gladly close caption our shows, but until then we are asking for an exemption.

Please let me know what further information you require for this request. I may be reached at 800-614-3000 ext. 261 or via email at jay@onthewater.com. Our mailing address is:

Suite 2
35 Technology Park Drive
East Falmouth, MA 02536

Sincerely,


Jay Beaver
Producer/Fishing New England

General Affidavit

**Commonwealth of Massachusetts
County of Barnstable**

BEFORE ME, the undersigned Notary, Martha Cunningham, on this the 19th of January 2006, personally appeared. Jay Baver, known to me to be a credible person and of lawful age, who being me first duly sworn, on his oath, deposes and says:

All of the information and supporting evidence that I have provided to the Commission's secretary at the Office of the Secretary of the Federal Communications Commission is true to the best of my knowledge. These facts and evidence are outlined in the enclosed letter and supporting documents.



Jay Baver
35 Technology Park Drive
Suite 2
East Falmouth, MA 02541

Subscribed and sworn to before me this 19th day of January 2006.



Martha Cunningham
NOTARY PUBLIC

My commission expires: July, 2012.

6.1.3 - Listing of Post-d Payments

From: 9/1/2005

To : 9/30/2005

Report Date: 10/3/05

Page: 1

Payment Type	Customer	Number	Reference No	Description	Date Paid	Amount
Check	ATLANTIC OUTBOARD	1023	10183	#4530	9/30/05	506.25
	BAERT MARINE	1011	10181	#37804	9/28/05	851.36
	GRADY-WHITE	1012	10182	#233627	9/28/05	372.00
	PIKE MARINE	1008	10184	#18263	9/30/05	674.96
<hr/>						
Subtotal for Check						2,404.57
<hr/>						
Total Payment Amount						2,404.57

6.1.3 - Listing of Posted Payments

From: 10/1/2005

To : 10/31/2005

Report Date: 11/2/05

Page: 1

Payment Type	Customer	Number	Reference No	Description	Date Paid	Amount
Check	AMERICAN SUZUKI	1024	10192	#00582199	10/25/05	2,258.00
			10201	#583044	10/31/05	3,000.00
	ATLANTIC BOATS	1025	10198	#14704	10/25/05	1,200.00
	ATLANTIC OUTBOARD	1023	10194	#4553	10/25/05	2,195.00
	BAYSIDE MARINE CORP	1014	10187	#42327	10/14/05	372.00
	BOATS INC.	1016	10200	#11872	10/31/05	372.00
	CATAUMET BOATS	1015	10188	#13824	10/14/05	837.00
	EAGLE ELECTRONICS	1034	10186	#379867	10/14/05	800.00
			10197	#380583	10/25/05	800.00
	GRADY-WHITE	1012	10196	#234481	10/25/05	465.00
	J CATALANO & SONS	1033	10189	#24960	10/14/05	279.00
			10190	#24974	10/14/05	465.00
	PIKE MARINE	1008	10191	#18290	10/25/05	843.70
					Subtotal for Check	13,886.70
Interest Write Off	AMERICAN SUZUKI	1024	10185		10/11/05	510.46
					Subtotal for Interest Write Off	510.46
					Total Payment Amount	14,397.16

6.1.3 - Listing of Posted Payments

From: 11/1/2005

To : 11/30/2005

Report Date: 12/2/05

Page: 1

Payment Type	Customer	Number	Reference No	Description	Date Paid	Amount
Check	ATLANTIC OUTBOARD	1023	10209	#4574	11/14/05	337.50
	BAERT MARINE	1011	10214	#37992	11/22/05	957.00
	BAYSIDE MARINE CORP	1014	10208	#42487	11/14/05	837.00
			10218	#42576	11/30/05	372.00
	BOATS INC.	1016	10217	#11987	11/30/05	837.00
	DONS MARINE	1039	10212	#11687	11/22/05	975.00
	EDWARDS BOATYARD	1037	10210	#3825	11/14/05	975.00
	GIFFORD MARINE	1013	10213	#1012079	11/22/05	1,069.81
	GRADY-WHITE	1012	10211	#235824	11/14/05	372.00
	PIKE MARINE	1008	10215	#18329	11/22/05	674.96
					Subtotal for Check	7,407.27
Interest Write Off	AMERICAN SUZUKI	1024	10205		11/2/05	91.16
	ATLANTIC BOATS	1025	10206		11/2/05	36.81
					Subtotal for Interest Write Off	127.97
					Total Payment Amount	7,535.24

6.1.3 - Listing of Posted Payments

From: 12/1/2005

To : 12/31/2005

Report Date: 1/3/06

Page: 1

Payment Type	Customer	Number	Reference No	Description	Date Paid	Amount
Check	AMERICAN SUZUKI	1024	10227	#00586982	12/13/05	2,400.00
	ATLANTIC BOATS	1025	10232	#15148	12/22/05	1,245.54
	BAERT MARINE	1011	10233	#38113	12/22/05	532.10
	BLUE FIN	1002	10230	#3461	12/14/05	2,000.00
	BOATS INC.	1016	10240	#12114	12/31/05	372.00
	EAGLE MARINE	1006	10228	#382633	12/13/05	1,000.00
	GRADY-WHITE	1012	10241	#237287	12/31/05	372.00
	J CATALANO & SONS	1033	10229	#25112	12/13/05	372.00
	PIKE MARINE	1008	10235	#18369	12/22/05	674.96
	SEASWIRL BOATS	1036	10231	#252924	12/22/05	975.00
	STRIPER MARINA	1017	10234	#9538	12/22/05	9,403.45
Subtotal for Check						19,347.05
Total Payment Amount						19,347.05

DEPARTMENT	HOURS		EARNINGS			GROSS	STATUTORY DEDUCTIONS		VOL DEDS	NET PAY
	Reg / O/T	Hours 3 & 4	Reg / O/T	Earn 3 & 4	Earn 5		Federal	State/Local		

ANALYSIS DEPT: 800

NET CASH: 544.82

Hours 3,4 Analysis:

H	HOL	8.00	Total	8.00

State Analysis:	STATE TAX	STATE WAGES	FIT BY STATE
AA	27.95	676.45	45.02
Total	27.95	676.45	45.02

Federal Taxable Analysis and

Employer Unemployment Liability	TAXABLE	PCT	TAX
Federal	676.45		45.02
UTA	730.35	.80	5.84
Social Security-EE	730.35	6.20	45.28
Social Security-ER	730.35	6.20	45.28
Medicare-EE	730.35	1.45	10.59
Medicare-ER	730.35	1.45	10.59

State Taxable Analysis and

Employer Unemployment Liability	TAXABLE	PCT	TAX
MA SUI	770.00	2.8700	22.10
Total	770.00		22.10

Deduction Analysis

H HEALTH	39.65
K 401K\$	53.90
S SPTCTR	2.79
Total	96.34

Cafeteria 125

Deduction Analysis	
H - MED	39.65
Total	39.65

Federal Deposit Liability	TOTAL LIABILITY
Federal Tax	45.02
Earned Income Credit Advances	
Social Security	
EE Amount Withheld	45.28
ER Taxable X 6.20%	45.28
Total Social Security	90.56
Medicare	
EE Amount Withheld	10.59
ER Taxable X 1.45%	10.59
Total Medicare	21.18
Total	156.76

800	8.00	770.00	770.00	45.02 FIT	27.95 STATE	96.34	544.82
TV PRODUCCION			5.97% of CO	45.28 SS	SUI/DI		
				10.59 MED	LOCAL		

BCS CAPTIONING RATES

POP-ON

<u>Program Length</u>	<u>Rate</u>
30 or 60 second commercial	\$ 75
61 seconds to 2 Min.	95
over 2 Min. to 14 Min.	185
15 min.	210
20 min.	230
25 min.	250
30 min.	285
45 min.	425
60 min.	560
90 min.	810
120 min.	995

ROLL-UP

30 MIN.	\$170
45 MIN.	260
60 MIN.	335
90 MIN.	450
120 MIN.	625

Please note that an “as produced” or “final script” must be provided for Roll-up captioned programs. If an acceptable script cannot be provided, there is a \$50 additional charge for BCS to transcribe the program.

LIVE

\$120 PER HOUR (MIN. 1 HR.)

V-CHIP ENCODING

\$50.00 Per Program (regardless of length)

BCS CAPTIONING FACT SHEET

TO ORDER LIVE CAPTIONING

Email orders@netcapinc.com with your order

Please provide the following information-

Name of Program

Program Length

Air Date

If script and/or research materials are available

Contact and Billing Information:

Once all of the information is received we will contact you to discuss scheduling the program.

We recognize that most live programming does not have a script. In order to provide the highest quality live captioning, it would be extremely helpful if information could be provided to insure correct spelling of names and places. For example, for live boxing matches, the names of the fighters, managers, cut men, trainers, etc. would be very helpful. **Please note that if no script is provided in Word format (.doc or .rtf) for pre-recorded programs scheduled to be live captioned there is a \$50 charge for us to transcribe the program. We will need a VHS copy of the program in order to transcribe the program.**

TO ORDER OFF-LINE CAPTIONING

Email order requests to orders@netcapinc.com

Please provide the following information-

Contact and Billing Information:

Name of Program:

Program Length:

Air Date:

Date Due Requested:

Type of Captioning required (*roll-up or pop-on):

***If script is available:**

If encoding is needed:

If we must make the VHS work copy:

V-Chip information (if applicable):

We require a work copy of the master program in order to perform the captioning. Please send a VHS copy with program audio on channel 1, time code on channel 2, and visual time code burnt into the video in the upper right hand corner. If we are encoding and creating a closed caption master, the master should also be sent to us... The work tape and or Master should be sent to: BCS Captioning, 600 Third Ave-FI. SC, New York, NY 10016 or BCS Captioning, 3330 Cahuenga Blvd. West, Suite 400, Los Angeles, CA 90068. If the VHS cannot be made by you, we will make the VHS for a charge of \$25.00. ***For programs scheduled for Roll-Up captioning, there is an additional charge of \$50 if an acceptable "as produced or final script" in Word compatible format (.doc, .rtf) cannot be provided. "Rough Cut" and incomplete scripts are not considered acceptable.**

INVOICE

REMIT TO: FSN New England
 c/o Rainbow Advertising Sales Corp.
 P.O. Box 19252
 Newark, NJ 07195

INVOICE NUMBER
 4741701
CHANNEL
 FSN New Engl

INVOICE DATE
 12/25/2005
AGENCY ESTIMATE

BILL TO: On The Water LLC
 50 Depot Ave.
 Falmouth, MA 02540

SALES OFFICE
 Sports Sales Burlington (L)
ADVERTISER
 On The Water

ACCOUNT EXECUTIVE
 Brian Oates
ORDER DESCRIPTION
 Fishing NE/Dec 05

INVOICE TYPE
 ORIGINAL
SCHEDULE DATES
 11/28/2005 - 12/25/2005

BROADCAST PERIOD
 Standard
BILLING PERIOD
 11/28/2005 - 12/25/2005

SCHEDULE

BROADCAST

RECONCILIATION

ORDID LINE TP M T W T F S S	RATE	CHNL	BUY UNIT	PROGRAM	#	DATE	DY	TIME	ORD/ AIR LEN	COPY	RATE	DEBIT/CREDIT	REMARKS
		FSNE	FISH NE	FISH NE	12/4/2005	SU		8:00A	15	12/04/05 SHOW	2,000.00		
		FSNE	FISH NE	FISH NE	12/11/2005	SU		8:00A	15	12/11/05 SHOW	2,000.00		
		FSNE	FISH NE	FISH NE	12/18/2005	SU		8:00A	15	12/18/05 SHOW	2,000.00		
Payment for 11/27 show													
3-0 NT													
ADJUST	2,000.00	FSNE	1.00 NONTM		1								
		FSNE	ADJUST		11/28/2005					Traffic Rate Adjustm	2,000.00		
4-0 MA													
01	2,000.00	FSNE	Fishing NE		1								
		FSNE	FISH NE	FISH NE	12/25/2005	SU		8:00A	15	12/25/05 SHOW	2,000.00		

	GROSS	10,000.00	10,000.00	SCHEDULED
			0.00	CREDITS
			0.00	DEBITS
			10,000.00	AIRED
NET DUE		\$ 10,000.00		


 319 Littleton Road
 Suite 300
 pyxis productions Westford, MA 01886
 (978)589-9559

Invoice

Date	Invoice #
1/18/2006	6-52215

Bill To <hr/> On The Water Attn: Jay Baver 50 Depot Street Falmouth, MA 02540

Terms: Net 30

Quantity	Item	Description	Rate	Amount
1	COMP-1	Compositing -- Show 5 of 13	1,200.00	1,200.00
Pyxis Productions Incorporated reserves the right to impose a late fee for any invoices pending past 30 days. Pyxis Productions Incorporated Federal Tax ID: 04-3457499			Subtotal	\$1,200.00
			Sales Tax (5.0%)	\$60.00
			Total	\$1,260.00