

Office of the Secretary
 Federal Communications Commission
 Attention: CGB Room 3-b341
 455 12th st. SW
 Washington, DC.



Petition for Exemption from Closed Caption Requirements

Michael J. Wiegenstein
 DBA Medical News Network
 26406 Taos Ct
 Cathedral City, Ca. 92234
 760-578-9272 ph
 760-325-7181 fx
 email: mwiegenstein@mnnetwork.com

Introduction

Medical News Network is the dba (doing business as) name used by me (Michael Wiegenstein). Medical News Network is a home based business and was started in January 2005 for the purpose of producing and airing half hour medically based informative and educational talk shows, on a variety of subjects, with different guest doctors. There are no employees and the business is entirely run by me, as a sole proprietorship. The show currently being produced is called Medical News Network and is hosted by me. The show is designed to be either a web based information piece for prospective patients visiting the doctor's web page, or air on TV in only their local markets, on a local channel. I assist the doctor in purchasing airtime in their local market if they choose to air their show, most only use it as a web based product. An Example can be found at www.DIIOC.com. I do not own any of the production equipment involved in shooting the show. I, doing business as Medical News Network, here by petition for exemption from the closed captioning requirements under section 79.1 (d) (2 & 12).

Nature and Cost of Closed Captioning

Notification of closed captioning requirements was received by Medical News Network the end of 2005 by various cable providers we sometimes use to air the show. Due to the time of year and the various holidays approaching, information on closed captioning was a little difficult to get. I was able to get a few quotes from various closed captioning companies, and most were in the \$200.00 per episode range. (Examples attached). The production company I use to film the show is also a small business, who does not at this time have closed captioning ability nor is able to afford the 3-5 thousand dollar needed to purchase it.

Impact on the Operation of the Program Producer

For the year 2005 my total revenue for the program Medical News Network and related events was \$57,584. The cost of production and other related items was \$48,941. A net profit of \$8,643. Adding closed captioning to the 13 shows I did last year would increase my expenses at a minimum by \$3000, or just under 35% of my profit from the show. To have to add closed captioning to the show would place an undue financial burden on a very fragile at this point in time, start up business, as well as on me personally and leave me no real choice but to stop producing the program and seek additional employment to supplement the lost income.

Other Sources of Income

In addition to the program I maintain a fulltime 50+ hour a week job. I am a divorced father of two. Being able to maintain my child support and alimony payments is very important to me and the modest income I derive from the program is paramount to me being able to do so. Because I compete with the show in an arena that is filled with much larger production companies with much newer and higher tech equipment than I have access to, my pricing is the only way to stay competitive, as I cannot always offer all the bells and whistles a larger company can. so having to raise my prices to cover the cost of closed captioning would most certainly eliminate that niche. I am a for profit business so cannot seek out any grants available to help defer the cost.

Type of Operation of the Program Owner

My business is a video, television and internet production designed to help medical professionals deliver their message to the public in a timely and cost efficient manner. I also provide some in house training for the various professionals staff and guidance on the best office procedures and policies. Both are on a limited basis and included as part of my programs income.

Other Relevant Factors

Medical News Network is a home based business and is a dba of me, Michael Wiegenstein, located in Cathedral City, Ca. The show is an information based production and as such has many many before and after photo's shown though out the program as well as titles on the bottom constantly displayed about who the doctor is and what we are talking about. The show is very self explanatory and easy to follow along with, even with the volume turned completely off. As I stated before, I was not even notified of the impending requirement until December 05, which left little or no time to try and remedy the situation, much less the financial means required to accomplish it. I sub contract the actual shooting of the show out to a local production company, I do not own any of the equipment required to film the show in its present form and cannot rightfully demand the production company I use make the capital expenditure required to purchase the equipment needed for closed captioning. I started the show in January 2005 to help supplement my normal income and provide me the ability to pay and stay current on my child support and alimony payments. Lowering my income from the production would severely handicap my ability to do so. I am a single man with no other source of income other than what I earn at my full time job and my limited income from Medical News Network.

Conclusion

Medical News Network totally supports the closed caption concept and I can see where programmers with the proper resources can benefit both the viewer and their clients. With the proper amount of time and business growth I may be able to add closed captioning in the near future. However, to have to do so at this time would be the death of my business and result in my inability to continue to provide those I have done business with the service I have promised. I am compelled, in order to maintain my business and to be able to continue to deliver the service I have promised, to seek out an exemption from providing closed captioning as an undue financial burden and hardship and that Medical News Network falls under the \$3 million dollar a year income level as per the requirements under Section 79.1 (d) (2 & 12).

Declaration

I, Michael J. Wiegenstein, am owner of Medical News Network and have reviewed the Petition for Exemption from Closed Captioning filed on behalf of me, doing business as, Medical News

Network, in this matter, and upon information and belief, believe the statements regarding my organization and Medical News Network, to be true and accurate.



Michael J. Wiegstein, Owner

3/27/010

Date



VIDEO CAPTION CORPORATION

Date: 12/22/2005

TO: [REDACTED]

FROM: Justin K. Macedonia / Video Caption Corporation

RE: Closed Captioning Proposal

Dear [REDACTED],

It was a pleasure speaking with you and having the opportunity to discuss close captioning your shows. Video Caption Corporation very much appreciates the opportunity to submit this proposal to caption programming for Real Estate TV

As we discussed, Video Caption Corporation (VCC) is a full service captioning communications firm specializing in offline captioning services for broadcasters, corporations, independent producers, schools, libraries, churches, and government agencies.

VCC is proposing to close caption the following programs at the discounted rates set forth below. *Reduced rates reflect discounts for volume.*

<u>Program Titles</u>	<u># Shows / Length</u>
Bi-Weekly Show	26 half-hour shows
Total number of shows	26

Pricing

Captioning Rate Breakdown:

Roll-up Captioning..... \$275 / 30 minutes

Reduced Rates for Real Estate TV:

Roll-up Captioning..... \$190 / 30 minutes

Caption Encoding..... Included

we will always do our very best to make this process as easy and affordable as we can. If you have any questions or concerns, please do not hesitate to contact me at any time. I am certain we can develop a partnership that is mutually beneficial.

Thank you for your time and your consideration of our proposal. We look forward to working with you

Contact information

I am available if you have any questions about this proposal. Please contact me anytime

Telephone: (800) 705-1203

Facsimile: (845) 868-1188

Email: jkmacedonia@vicaps.com

Website: www.vicaps.com

**Justin K. Macedonia
Video Caption Corporation**