

In my opinion, the problems of close captioning TV programs with DTV/HDTV are so complicated that it's almost impossible to document the many problems that the deaf and hard of hearing community are having in getting full communication access with closed captions on DTV with the same ease as hearing people have in getting full communication access via the audio component on their DTV/HDTV. The situation is a nightmare, violates the "equal access" FCC regulation, and needs your full attention. As an example, below is a lengthy explanation from a very satisfied, but technologically savvy person, of how to make the captions work on his HDTV. But half of it makes no sense to very well educated and intelligent person like me. I am considering the explanation provided below as justification for filing this under "complaint" rather than under "comment".

After reading the epistle below, I ask, or rather, scream:

" IS IT APPROPRIATE FOR US DEAF AND HARD OF HEARING CITIZENS TO HAVE TO KNOW ALL OF THIS DETAIL WHEN THE HEARING CITIZENS DO NOT NEED THAT INFO TO GET THEIR AUDIOS WORKING PROPERLY!!! WE SHOULD BE ABLE TO PLUG IN OUR DTV/HDTV AND TURN ON THE CAPTIONS AND HAVE THE CAPTIONS WORKING PERFECTLY FROM THE VERY FIRST SPOKEN WORD! "

> Folks: This may be a rather long email and it will cover various HDTV captioning issues. I've been waiting for the thread to slow down so that I can more efficiently address these. Read on if interested.

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> First, count me in as one of the very happy and mostly satisfied persons who owns a HDTV and receives HD captions. I'm a huge advocate. HDTV is one of the greatest things ever for households, and when the captioning works,

it's totally awesome. It's difficult to begin explaining the virtues and accolades. Sufficient to say, you can tell I'm definitely pleased. If you get a HDTV and captioning is doing what it is supposed to do, then you will be immensely satisfied. I'm pretty sure it will not be easy to implement the first time, and there is no single point of reference you can look up to solve your issues or make your purchasing decisions.

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> I get digital cable via my cable provider Bresnan and subscribe to the HD tier. (I'm aware of the HD packages offered thru DishNetwork as well as Direct TV. I know some people have captioning difficulties with satellite, but I'm not going to address satellite cable today.) Thru Bresnan, I get about 10 HD channels. The CEA-708 captions come across loud and clear, but it was a major endeavor to get my set up to work. It was worth it, and still I am working on peripheral issues to improve the HDTV issues for all of us, that I will describe below. I've had to work with my retailer, set-top box manufacturer, local networks (CBS, etc), cable provider, and the cable broadcaster (ESPN, etc) to understand issues and figure out how to resolve them.

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> The perception of many deaf is that the HD is too cumbersome to bother with. Some recent comments by NAD TC reinforce this and this is a valid, but incorrect perception. In fact, you will recall several months ago that I

gushed about HDTV and captioning on this forum. Later, I received several emails stating that it was pointless to buy or try HDTV because of the difficulties.

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> The issue that began this whole thread: Billy's comments on HDTV quality. I too have noticed 'lags' perhaps as much as 5 seconds, but it generally doesn't continue by the time the following show comes up on the same network. Or I can change the channel, and watch a different HD captioned show that isn't lagging. Generally, only one channel might lag, never for more than an hour broadcast, and that's only occasionally. I've never complained about this either, and perhaps I should. I don't know why it happens, but I don't know why my computer sometimes freezes up, and other technologically crazy things that slightly affect everyday living. It's a glitch that I tolerate, because I've seen working HDTV and captioning so I know it won't last. The remaining captioning quality issues others raised are a rarity for me. Is anyone out there happy with HDTV, DTV and the CEA-708 captions? I haven't seen one post from anyone happy. I know this stuff works for me and others the majority of the time!

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> Nevertheless, I acknowledge there are problems out there that can best be described as technical problems. I don't necessarily know the solution. The Consumer Electronics Association is aware and is discussing setting up some

kind of a resource site where users go for the answers regarding HD captioning, set-ups, etc as they represent all the players. But it won't be soon, as they don't have a sense of urgency since they are not really hearing numerous complaints. TDI is not the place to address these issues, as they referred complaints to an individual who got overwhelmed. He's asked CEA to take over

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> My beef is to increase the quantity of HDTV captioning. At the moment a major focus is on the quality of all captioning, but I'm honestly satisfied with captioning quality. Errors, typo's, misspelled words, etc are a nuisance, but I can read through them. In my opinion, a more pressing problem is the number of networks who choose not to provide 100% captioning despite the FCC mandate that was effective January 1, 2006.

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> Short answer as posted...is HDTV captioning mandated? Yes. But there are some exceptions. New networks are exempt from captioning for the first four years of their existence. Here's a fact: cable networks are interpreting their HD channels as a 'new' network, and thus exempt from captioning. We should be extremely thankful that ESPNHD, ESPN2HD, and TNTHD choose to HD caption sooner than that. Fact is, that I have a letter from NBC Universal, regarding their UniversalHD channel, which consists of almost 100% previously captioned rebroadcasted content, that they are in compliance by

not HD captioning. They specifically stated they are a new network, exempt until December 2008. NBC Universals interpretation, while it may be correct, is not within the spirit of the Act as written. DiscoveryHD was not in 100% compliance as of their 4-year date (June 2006), and I had been hounding them since November 2005. I have been corresponding with networks directly to appeal to their sense of decency to caption NOW, rather than later, out of the goodness of their hearts. In 2005, I also wrote to Mark Cuban's HDNet and HDMovies channel to implore they begin captioning. They had zero percent captioning when I first wrote and were not 100% complaint on their four year date but are currently pretty good. At the moment, UniversalHD is the only non-captioned HD channel I have, but I'm concerned with the precedent that it sets. My understanding is that HGTV and Food Networks have started HD channels. Those are not yet offered by Bresnan, and I don't know if they are captioned. Horrible that it could remain legal that all HD channels get a four year exemption if they want it.

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> One of the threads is correct...try to find out where the problem is and work with that situation. NFLNetwork began broadcasting November 2003. This truly was a new network, exempt from captioning. I noticed that zilch was captioned on NFLHD. I knew they were going to broadcast 8 NFL games this year, and I wrote to them imploring that they begin captioning. I pointed out to them that 248 NFL games were being captioned in 2006 and not their 8? They came through. NFLNetwork content is not yet 100% captioned, and doesn't

have to be, but thankfully they are starting early.

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> Louis- the FCC has ruled the internet is
'information services' and not
'communication services' and thus is not regulated
by the FCC. CNBC.com is
correct in their interpretation of the law. This is
another precedent that
should be of concern to us. Downloaded network
shows that are viewed on
non-televisions (iPods, computers, etc) are not
required to be captioned.
Every day I read of more companies making their
content available over the
internet, and it's not accessible for us. This
issue probably needs to be
addressed by congress, who listens to their
constituents, and that's us. It
is interesting to note, that my cable service Video
on Demand generally
downloads captioned. It makes sense that this would
be mandated by the Act,
and is part of my 'television' and not the
'internet'. Ironic. I've never
ordered a Pay Per View movie and do not know what
their situation is.

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> Here's another interesting HDTV dilemma. If you
have a DVD player playing
back on your HDTV in the HD input, they will not
read the captions on the
DVD. This is intentional and you can only access
the subtitles. You can get
captions if you play in the non HD input, but this
defeats the reason you
purchased HDTV! Manufacturers have made a poor
decision that the next
generation of HD DVD's will not be captioned. I'm
referring to the Blu-ray
and the HD-DVD format which are presently competing
with each other for

superiority similar to the VHS-BetaMax war back in the 70's. Rather, these DVD's will have subtitles, and I much prefer captions over subtitles. Two reasons- not all subtitles are subtitled SDH (Subtitled for the Deaf and HOH). Some are straight subtitles which leave out background noises that we need to further understand the video (gunshots off screen, telephone ringing, doorbells, etc). Secondly, these bold white or yellow subtitles are too distracting...I like my subtle captions. Go to any video rental place and look over the new Blu-ray or HD-DVD's...you'll note they don't have CC. Subtitles will meet existing FCC mandates, but I think it's a step backwards. This issue is being addressed by the CEA, and I'm hopeful they will return to captions. So at the moment, even though your existing DVD has captions, you won't be able to access them on your HDTV!

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> Which brings up another point. As I said, I do complain to the FCC, but only after exhausting all the other avenues. This is the correct way to do it. However, according the FCC's latest report, in the third quarter of 2006, even though the FCC received over 266,000 complaints only 5 were against cable/satellite services regarding accessibility issues (which includes captioning issues), and 9 were regarding accessibility issues against radio/television broadcasting. 193,000 were regarding obscenity/indecency issues and 67,000 were regarding wireless telecommunications issues. If you're the FCC, it doesn't sound like there's

much of a captioning problem. These numbers will definitely change for the fourth quarter because of captioning exemption decision the FCC issued last fall and the number of follow up complaints they received.

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> Continue to document your situation. Follow up on solving the problem before you file the FCC complaint. Post it on NADTC to see if you get feedback or suggestions. Generally, I've found the players to be receptive to solving my problems if they are at fault. The main issue I'm discovering is the fact that broadcasters prefer not to caption the HD content if they don't have to. It's not rocket science, they can easily do it. It's economics. What we need is a ruling from the FCC that when a parent cable network (HGTV, History Channel, etc) sets up a HD channel, they are not considered a 'new' network, but are subject to the same regulations that the parent company is. I previously filed complaints and requested this ruling, and will now appeal to the FCC Commissions directly.

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> One more point. HD is not mandated or mandatory but it's here to stay. DTV is mandated and mandatory as of February 17, 2009, and hopefully it's a smooth transition. But DTV only relates slightly to HDTV and the issues we're having. That's a future post.