



DOCKET FILE COPY 06-181

06-181

Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Washington, D.C. 20554

**CGB**

FILED/ACCEPTED

JAN - 9 2007

Federal Communications Commission  
Office of the Secretary

December 12, 2006

Control No. 0602863-Pol

The Honorable Robert C. Byrd  
United States Senate  
311 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Byrd:

Thank you for your letter on behalf of your constituent, Ms. Teresa Adkins, concerning recent Commission actions granting certain exemptions from our closed captioning rules. The Commission is committed to ensuring that the disability community has access to all telecommunications goods and services.

On September 11, 2006, the Commission's Consumer and Governmental Affairs Bureau adopted an *Order* resolving two petitions for exemption from the closed captioning rules, CG Docket No. 06-181. Petitioners, New Beginning Ministries and Anglers for Christ Ministries, Inc. -- nonprofit organizations whose programming was produced by in-house volunteers with limited funding -- alleged that compliance would be an undue burden and would likely cause them to discontinue their programming.

The New Beginning and Anglers petitions were put on Public Notice, and an opposition was filed by a coalition of several deaf and hard-of-hearing advocacy groups. The Bureau considered the arguments of the opponents, but ruled in favor of the petitioners. Shortly thereafter, the Bureau issued a number of letter orders granting undue burden exemption petitions filed by other similarly situated video programming owners.

On October 12, 2006, several advocacy groups for the deaf and hard of hearing filed an application for Commission review of the Bureau *Order* and letter orders. The advocacy groups requested that all the petitions for relief from the closed captioning rules based on undue burden be placed on public notice. On November 7, 2006, the Commission released a Public Notice (PN) noting the application for review and seeking comments on all undue burden petitions not previously put on public notice. The PN states that the *Order* and letters orders granted by the Bureau will be held in abeyance until the comment cycle on the additional applications noticed is closed. The *Order* and letter orders will be reviewed by the Commission.

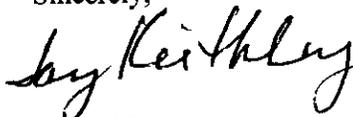
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The Honorable Robert C. Byrd

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We have placed a copy of your correspondence, including Ms. Adkins' correspondence, in the public record for this proceeding, CG Docket No. 06-181. We appreciate your inquiry. Please do not hesitate to contact us if you have further questions.

Sincerely,

A handwritten signature in cursive script that reads "Jay Keithley". The signature is written in black ink and is positioned above the printed name.

Jay Keithley  
Deputy Bureau Chief  
Consumer & Governmental Affairs Bureau

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Ms. Diane Atkinson  
Congressional Liaison Specialist  
Federal Communications Commission  
445 Twelfth Street, S.W., Room 8-C445  
Washington, D.C. 20554

Dear Ms. Atkinson:

Please see the enclosed correspondence from Ms. Teresa Adkins.

I would appreciate your looking into this matter, and providing me with comments that may serve as the basis for my reply to Ms. Adkins.

With kind regards, I am

Sincerely yours,

*Robert C. Byrd*  
Robert C. Byrd

RCB:km  
Enclosure

# Snapshot Report: Incoming Constituent Message

Report Date: 9/26/2006

Staff:  
Address To: General  
Name: Mss Teresa Adkins  
Address: 247 2nd Ave  
Ripley WV 25271 USA  
Email: dreamfire75@verizon.net URL:  
Home Phone: Cell Phone:  
Work Phone: Fax:  
Salutation: Dear Mss Adkins; In Type: EML Reply Ltr:  
Interest: Organization: Letter:  
Classification: Personal: Title:  
Reference #: Group: W060926

Message Body:  
Subject Desc: Science

Date Received: 9/25/2006 10:49:45 AM

September 25, 2006  
The Honorable Robert Carlyle Byrd  
311 Hart Senate Office Building  
Suite 2630  
Washington, DC 20510-4801

Dear Senator Byrd,

I protest the FCC approval of almost 300 requests for new programs to be shown without closed captions.

The FCC weakened the closed captioning rules, and appears to have created new standards and new rules for permitting programs to be televised without closed captions. I believe the FCC violated the closed captioning rules.

People who are deaf or hard of hearing want access to televised information and entertainment, just like everyone else.

Closed captioning is an essential part of any televised program. Captioning is not too difficult or too expensive.

I cannot watch television programs that are not captioned.

Please reconsider these FCC decisions and support closed captioning.

Sincerely,

Teresa Adkins  
247 2nd Ave  
Ripley, WV 25271-1521