

06B-CC-0931

Received & inspected

DEC 7 2009

FCC Mail Room

Baptist Church
Bethel

December 7, 2009

Pastor

Dr. Randall Parker

Associate Pastor

Conrad Westbrook

Youth Pastor

Aaron Reynolds

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, D.C. 20554

Re: Petition for Undue Burden Exemption
from Closed Captioning Rules

Dear Ms. Dortch:

This letter is submitted pursuant to 47 C.F.R. §79.1(f) and requests an exemption on behalf of Bethel Baptist Church from the FCC's closed captioning rules based on undue burden. In accordance with 47 C.F.R. §79.1(f)(4), the original and two copies of this letter and all support are being provided.

Bethel Baptist Church is a donor supported non-profit organization under the laws of the state of Indiana. Since March of 2009, we have produced a weekly 30-minute video program called "The Living Word". "The Living Word" is a program that teaches the Word of God and sacrifice of Jesus Christ for all of mankind. "The Living Word" is locally produced in-house by Bethel Baptist Church staff, and is broadcast to the public on WHMB-TV 40, Indianapolis. Bethel Baptist Church pays WHMB \$650 per program to air the show over its broadcast facilities.

Captioning the program would present an undue burden for several reasons. First, since we do not have the resources to caption the program ourselves, it would have to be sent to an outside source for captioning. Second, the added production cost for captioning would make production of the program unaffordable and the time for captioning would make meeting WHMB air-date deadlines impossible. Finally, a captioning requirement would ultimately cause us to either terminate or severely limit production of the program, and cause us to lose viewers and supporters who would no longer be able to regularly view the program. We have discussed with WHMB the possibility of their assisting us in captioning the program at no cost, but they have advised us that they do not have the necessary resources or staffing to perform captioning on our behalf.

*"A church home
for the
whole family"*

1610 South State Street
Greenfield, Indiana 46140

(317) 462-5850
(317) 462-4805 fax

www.Bethelbcg.org

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Bethel Baptist Church respectfully submits that the basis for its captioning exemption request based on undue burden is practically identical to the facts justifying undue burden exemptions in the Commission's 2006 Memorandum Opinion & Order, *In Re: Anglers for Christ Ministries, Inc. & New Beginning Ministries Petitions for Exemption from Closed Captioning Requirements, CGB-CC-0005 and -0007, 21 FCC Rcd 10094 (September 12, 2006)*. In light of that precedent, and the facts set forth in this letter, we respectfully request that Bethel Baptist Church be granted an undue burden exemption from the captioning requirements for "The Living Word".

In support of our request, we provide a copy of certain documents establishing Bethel Baptist Church's non-profit status. In addition, as permitted by §1.16 of the Commission's rules, we are providing a Declaration Under Penalty of Perjury in support of the facts set forth in this request for exemption in lieu of the affidavit required by §79.1(f)(9). Should the Commission require additional information, please contact the undersigned individual.

Respectfully:

Bethel Baptist Church

By: *Randall Parker - Pastor*

Printed Name: Randall Parker

Title: Senior Pastor



STATE OF INDIANA
OFFICE OF THE SECRETARY OF STATE
SECRETARY OF STATE

To Whom These Presents Come, Greeting:

WHEREAS, Articles of Incorporation, duly signed and acknowledged, have been filed in the office of the Secretary of State on the 23rd day of March

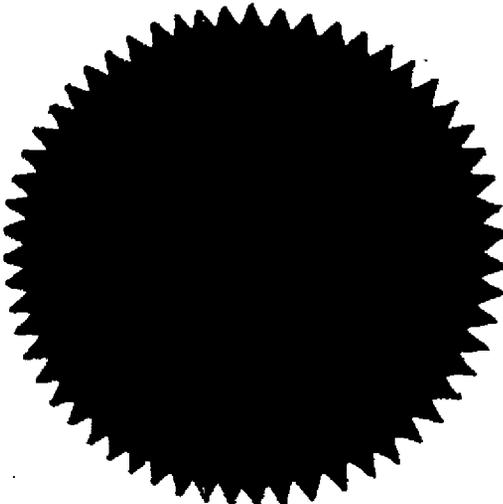
19 71 for the organization of:

BETHEL BAPTIST CHURCH, INC.

Under and in accordance with the provisions of an Act entitled:

"An Act for the Incorporation, organization and reincorporation of churches, religious societies and religious organizations," approved March 3, 1943.

NOW, THEREFORE, I, the Secretary of State of the State of Indiana, do hereby certify that said Articles are now of record and on file in this office.



In Witness Whereof, I have hereunto set my hand and affixed the seal of the State of Indiana, at the City of Indianapolis, this 23rd day of March, 19 71.

LARRY A. CONRAD *Secretary of State.*

By _____
Deputy

Form ST-105 SF# 4965 (Rev 1/00)

Indiana Department of Revenue General Sales Tax Exemption Certificate

This form is not to be used as an Agricultural or Utility Exemption Certificate. Company Exemption Certificates are not valid for personal purchases.

Name BETHEL BAPTIST Church TID# 0003929019-000-0
Address 610 W. 10th Street Date 05/28/02
City GREENFIELD State INDIANA Zip Code 46140

- Blanket Single Purchase Description of Articles _____
- Sale to Retailer, Wholesaler or Manufacturer for Resale Only
- Sale of Manufacturing Machinery, Tools and Equipment to be Used Directly in Direct Production
- Sales to Not-for-Profit Organizations, Claiming Exempt Purchases Pursuant to Sales Tax Information Bulletin #10

Note: Many purchases by Not-for-Profit Organizations are subject to Sales Tax; therefore, purchasers are cautioned to read Sales Tax Information Bulletin #10 before signing this certificate.

- Sales to Governmental Units
- Other (Explain) _____

I hereby certify under the penalties of perjury, that the property that is to be purchased by the use of this exemption certificate is to be used for an exempt purpose pursuant to the State Gross Retail Sales Tax Act.

Signature *Daniel George* Title ASSOCIATE PASTOR