

Received & Inspected

JUL 12 2010

FCC Mail Room



July 7, 2010

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> 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 The Father's Field 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.

The Father's Field is a donor supported non-profit organization under the laws of the state of Mississippi. Since 2010, we have produced a weekly thirty-minute video program called *Proclaim It*. *Proclaim It* is a program that shares the gospel message of Jesus Christ. *Proclaim It* is locally produced in-house by The Father's Field staff, and is broadcast to the public on LeSEA Broadcasting/World Harvest Television (WHT), South Bend, Indiana. The Father's Field pays LeSEA Broadcasting/World Harvest Television (WHT) \$1,150.00 per week 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 LeSEA Broadcasting/World Harvest Television (WHT) 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 LeSEA Broadcasting/World Harvest Television (WHT) 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.

The Father's Field 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 The Father's Field be granted an undue burden exemption from the captioning requirements for *Proclaim It*.

In support of our request, we provide a copy of certain documents establishing The Father's Field'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:

The Father's Field

By: 

Printed Name: Mark S. Case

Title: President

The Father's Field Ministries, P. O. Box 977, Brandon, MS 39043

**Declaration Under Penalty of Perjury of Mark S. Case in support of The  
Father's Field's Request for Undue Burden Exemption from Closed Captioning  
Rules**

I, Mark S. Case, president of The Father's Field, do hereby declare under penalty of perjury of the laws of the United States of America that the following statements are true and correct.

1. The Father's Field is a donor supported non-profit organization organized under the laws of the state of Mississippi.

2. Since 2010, The Father's Field has produced a thirty-minute video program called *Proclaim It*. *Proclaim It* is a program that shares the gospel message of Jesus Christ. *Proclaim It* is locally produced in-house by The Father's Field staff, and is broadcast to the public on LeSEA Broadcasting/World Harvest Television (WHT). The Father's Field pays LeSEA Broadcasting/World Harvest Television (WHT) \$1,150.00 per week to air the show over its broadcast facilities.

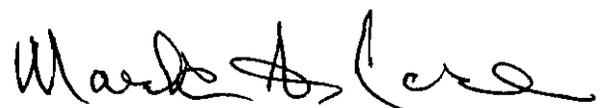
3. The Father's Field has discussed with LeSEA Broadcasting/World Harvest Television (WHT) the possibility of their assisting in captioning *Proclaim It* at no cost, but they have advised us that they do not have the necessary resources or staffing to perform captioning on our behalf.

4. Captioning *Proclaim It* would present an undue burden because we do not have the resources to caption the program ourselves, and it would have to be sent to an outside source for captioning.

5. The added production cost for captioning would make production of the program unaffordable and the time for captioning would make meeting LeSEA Broadcasting/World Harvest Television (WHT) air-date deadlines impossible.

6. A captioning requirement for *Proclaim It* would ultimately cause The Father's Field 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.

Executed on July 7, 2010.



INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **MAY 26 1999**

THE FATHERS FIELD  
C/O MARK S CASE  
PO BOX 977  
BRANDON, MS 39043

Employer Identification Number:  
64-0904134  
DLN:  
17053117004039  
Contact Person:  
MR LEWIS ID# 31037  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Foundation Status Classification:  
509(a)(1)  
Advance Ruling Period Begins:  
January 20, 1999  
Advance Ruling Period Ends:  
December 31, 2003  
Addendum Applies:  
No

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we

Letter 1045 (DO/CG)