

CGB-CC-1105

Received & Inspected

Office of the Secretary  
Federal Communications Commission  
Attention: CGB Room 3-B431  
9300 East Hampton Drive  
Capitol Heights, MD 20743

MAR 29 2011

FCC Mail Room

February 28, 2011

RE: Petition for Exemption of Closed Captioning on the Basis of Undue Burden

Dear Secretary,

Cevallos Brothers Productions (CBP) is the Producer/Owner of the program, "The Cleto Show", for which we are humbly requesting an exemption from the closed captioning requirements. "The Cleto Show" -- which currently consists of ten 23-minute episodes -- was independently produced and financed in an effort to provide English language Latino programming to the US television audience. The production budget was extremely small and could only cover the hard costs; most crewmembers and some cast worked on a pro-bono basis to ensure the project would be completed. The cost of closed captioning these shows is very high in relation to the overall project budget and represents an Undue Burden, which would severely restrict the distribution of the program.

CBP is a Latino-owned production company whose focus ranges from feature films to music videos, commercials and industrial/corporate videos. CBP's financial resources are limited and are often available only on a project-to-project basis.

Advertiser/Sponsor support for this program is minimal and therefore not a resource that can be considered to pay for the closed captioning. CBP is self-distributing "The Cleto Show" and cannot rely on an established distribution company to foot this cost.

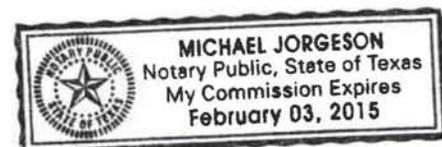
There is a general lack of Latino-themed, English language programming, and even fewer Sitcoms of this type currently available in the US. This Undue Burden would inhibit CBP's distribution of "The Cleto Show" into various local markets and would thus restrict the diversity of the programming in those markets.

CBP recognizes the importance of closed captioning and the special needs of persons with disabilities; we feel all Americans should have access to diverse programming. As the technology becomes more affordable and our financial resources allow, it is our intention to provide closed captioning for future "seasons" of "The Cleto Show".

We appreciate your consideration of our request and look forward to your response.

Sincerely,

  
Michael Ray Cevallos  
Executive Producer, "The Cleto Show"  
1107 S. 8<sup>th</sup> Street  
Austin, TX 78704





STATE OF TEXAS  
COUNTY OF TRAVIS

Received & Inspected

MAR 29 2011

FCC Mail Room

AFFIDAVIT

**BEFORE ME**, the undersigned authority, on this day personally appeared Michael Ray Cevallos, who after being by me first duly sworn, upon his oath states:

“My name is MICHAEL RAY CEVALLOS and I am of sound mind and capable of making this affidavit.”

“I am a co-owner and producer of Cevallos Brothers Productions, with offices located at 1107 S. 8<sup>th</sup> Street, Austin, Texas 78704.”

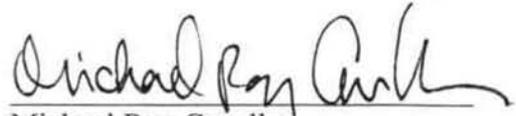
“Cevallos Brothers Productions is the producer of the San Antonio, TX-based television program entitled *The Cleto Show (TCS)*, a 23-minute sitcom aimed at the English speaking US Latino audience.”

“Cevallos Brothers Productions intends to self-distribute the above named program into various local markets across the United States but would face extreme financial duress if required to closed caption the existing ten episodes. Additionally, the time needed to execute the closed captions would cause *TCS* to miss air dates already committed. During the taping of new episodes, the turnaround time between production/editorial and airing is typically between 48 hours to one week, making it very difficult to add the transcribing and encoding process to this time frame. It is an undue burden for the show to be closed captioned. Such burden would seriously inhibit the distribution of *TCS* and restrict the diversity of programming.”

“I have made attempts to secure financial assistance and sponsorship for the closed captions, but thus far have not received any funding.”

“I am petitioning the FCC to request exemption from their Closed Captioning Requirements on the basis of Undue Burden.”

“I hereby certify that the foregoing statements are true and correct to the best of my knowledge and belief.”

  
Michael Ray Cevallos

SWORN AND SUBSCRIBED TO BEFORE ME on this the 15<sup>th</sup> of March 2011.



Notary Public in and for  
the State of Texas

