

COB-CC-1172

Received & Inspected

DEC 28 2011

Before the
Federal Communications Commission
Washington, DC 20554

FCC Mail Room

In the Matter of :)	
)	
Media Design Productions)	
)	
Video Programming Accessibility)	CSR _____
)	
Petition for Exemption of Closed)	
Captioning Requirements)	

**MEDIA DESIGN PRODUCTIONS
PETITION FOR EXEMPTION OF CLOSED CAPTIONING REQUIREMENTS**

Media Design Productions, 702 INC. hereby petitions for an exemption of the closed captioning requirements of Section 79.1 of the Commission's rules.

Background. Section 713 of the Communications Act of 1934, as amended ("the Act"), Video Programming Accessibility, was added to the Act by Section 305 of the Telecommunications Act of 1996.

In enacting Section 713, congress recognized that, in certain situations, the costs of captioning might impose an "undue burden" on video programming providers of owners, and it authorized the commission to adopt appropriate exceptions.

Congress defined "undue burden" to mean sign "significant difficulty or expense". In determining it the closed captioning requirements will impose and undue burden, the statute requires the Commission to consider the following factors; 1) the nature and cost of the closed captions for the programming, 2) the impact on the operation of the provider or owner, 3) the financial resources of the provider of program owner; and 4) the type of operations of the provider or program owner.

Section 79.1 (d) provides an exemption for locally produced and distributed on-news programming with no repeat value and of local interest, Section 79.1 (d) also provides and exemption for video programming for which the content of the soundtrack is displayed visually thought text. MDP is a Las Vegas based Company in the business of producing program-length commercials for its client. These programs air only in their local market. MDP is currently

producing a weekly half-hour program, 702 INC, for the TV Station, Vegas TV which showcases the business in the local 702 area, giving information for business owner to promote in the valley to tourist as well as locals. We also feature how to manage businesses and gives others information from our Local CEO's with interviews.

Because of the financial struggles the business are going through in our area it is hard to charge them a large amount to broadcast there views and contribution of advice.

Discussion. The content of 702 Inc, is comprised principally of interviews with local business owners, groups and organizations that talk about how they handle business and what it is like to work in there particular type of job. All other pertinent information i.e. telephone numbers and business personal identifications, titles is all completely covered by visual text. Furthermore 702Inc is not distributed nationwide. It is seen only in Las Vegas.

Conclusion. For the reasons set for herein: 1) We recently purchased a time slot of the local Las Vegas Television station. I am financially incapable of purchasing the close captioning for the program. 2) At this time, I am struggling to fulfill the payments on my 13 week contract in order to continue the show itself. Additional production fees are not feasible at this time. Please consider my request for a waiver. A lot of time and passion has been invested, thus far and a financial burden of this nature would terminate the project. Please consider my request for a waiver.

Thank you for your consideration

Respectfully submitted,

MARKETING & PRODUCTION

By *Debra Lee Ballard*
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