

JAN 18 2012

FCC Mail Room

Office of the Secretary
Federal Communications Commission
Attention: Disability Rights Office, Room 3-B431
445 12th Street, SW
Washington, DC 20554

Re: Petition for Exemption from Closed Captioning Requirements of First Baptist Church of Montgomery, Alabama

To Whom It May Concern:

First Baptist Church is located in Montgomery, Alabama, and was founded in 1829. First Baptist Church seeks to develop devoted disciples by bringing people to Christ (evangelism), building them up in Christ (discipleship), and sending them out to expand Christ's Kingdom (missions and ministry).

As part of the church's ministry, the church broadcasts a program titled *Crossroads* (the "Program"). The Program is a broadcast of one of the Sunday worship services each week, allowing people to be a part of the church service even when they are not able to attend.

The Program is broadcast on WSFA-TV Channel 12 on Sundays at 10:30 AM, on Frazer TV (Brighthouse Channel 19 in Elmore County and Channel 122 in Montgomery and Prattville) on Sundays at 1:30PM (a full one-hour Program; all others are a half-hour Program) and 6:00 PM, on Tuesdays at 7:30 PM, and on Thursdays at 9:30 AM and 6:00 PM, and periodically on the Trinity Broadcasting Network. Approximately six to eight church volunteers produce the Program each week. The church does not hire anyone to produce it. The Program is marketed to all people of all ages.

Providing captioning for the Program would result in significant difficulty or expense to the point that the church will be prohibited from producing the program. Thus, for the reasons set forth below, First Baptist Church hereby requests an "economically burdensome" exemption from the closed captioning rules for *Crossroads*, pursuant to § 79.1(f) of the Commission's rules.

Nature and Cost of Closed Captions

There are a few options for adding closed captioning to the Program. The first is to upgrade the church's editing equipment to a version with capabilities of adding closed captioning. The cost of new equipment is approximately Ten Thousand Dollars (\$10,000.00) plus the cost to upgrade other equipment that must be compatible with the editing system. Additionally, the church would be required to hire someone to input the data live into the new system or send the recorded video to a third party to transcribe the Program and return the transcript to the church for editing. Attached as Exhibit A is documentation of this cost. The Program is broadcast on three stations, each with different time requirements for the Program. Thus, the closed captioning would have to be input to three different specifications, adding to the cost of production.

The second option is to have the Program distributors add the closed captioning. The Program is broadcast on one major station and two smaller stations. The major station, WSFA-TV, has stated that it would charge \$85.00 per hour or \$42.50 per half hour show. That cost adds up to \$4,250.00 for the hour show and \$2,125.00 for the half hour show for the remainder of the 2012 year. Attached as Exhibit B is the communication detailing this pricing. This price would only be the cost for the Program broadcast on WSFA-TV; this cost does not include the cost for adding closed captioning for the other two stations. This cost alone is prohibitive in production of the Program. It is our understanding that the two smaller broadcast stations are not required to broadcast in closed captioning and that neither Frazer TV nor Trinity Broadcasting Network has the capability to add closed captioning.

The third option is to outsource the closed captioning service. The church has found that the cost for hiring a third party to complete the captioning would be between \$75.00 and \$100.00

per half-hour show and between \$100.00 and \$160.00 per full hour show. Attached as Exhibit C is information regarding this pricing. Because of the different requirements of each station, each week's program would require three different closed captioning edits.

Currently, there are no alternative options. The cost of adding subtitles to the Program would be about the same as the cost for closed captioning. It is not possible to add a scroll with the text of the sermon because the sermon is not scripted. The church solicits donations for the production of the Program at the end of each show; however, the receipts of such donations do not cover the cost of closed captioning.

Impact on the Operation of the Program Provider

If the church does not receive a waiver of the closed captioning requirement, the church will not be able to produce the Program. The costs, as described above in the "Nature and Cost of Closed Captioning" section are greater than the church can afford at this time.

Financial Resources of the Program Provider

A copy of the most recent financial statement is attached hereto as Exhibit D. As shown on the Nov. 2011 financial statement, the church lacked income by approximately \$385,000.00 needed to meet its projected expenses. The main source of income for the church is donations from the congregation and other people. The main expenditures are personnel and debt service.

Type of Operations of the Program Provider

The church is a non-profit religious institution. The church holds several worship services along with Bible fellowship classes every Sunday and family prayer time on Wednesdays. The church offers a variety of ministry opportunities for every age and stage of life, including, but not limited to, Bible study, conferences, seminars, recreational activities, children's camps and Bible school, choirs, orphan ministry, prison ministry, international ministry, AIDS ministry, and a center to provide food and personal items to those in need.

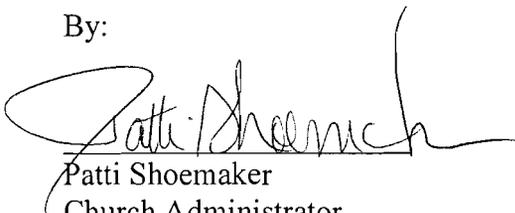
Conclusion

As shown by this Petition and its attachments, the Commission should grant a waiver of the closed captioning requirements in this case, because requiring closed captioning would be economically burdensome to the point that the church would not be able to produce the Program. The costs of captioning would be excessively high and would have a significant impact on Petitioner's operations, undermining its ability to provide the Program. The Petitioner's type of operations and financial resources are different in kind and magnitude from a mainstream Programming provider. Because of the significant difficulty and expense of providing closed captions, a waiver under § 79.1(f) is warranted. An affidavit is attached hereto as Exhibit E, swearing to the truth and accuracy of this petition. If more information is needed, please contact me at the address provided below.

Respectfully submitted,

First Baptist Church

By:



Patti Shoemaker
Church Administrator
305 South Perry Street
Montgomery, AL 36104
Phone: 334-241-5181
Fax: 334-241-5191

Dated: 1-17-2012

EXHIBIT A

Leslie Pitman

From: Michael Kyser [kyserm@gmail.com]
Sent: Monday, January 16, 2012 4:36 PM
To: Leslie Pitman
Subject: editing systems

AmicusId: 195193
AmicusStatus: Saved

Leslie,

Since our current editing system doesn't handle captioning we would be required to purchase a new system, editing software, and captioning software, We are looking at \$10,000 + for the editing system, additional required hardware, and software. We'd still be required to hire someone to input the data live, or send the recorded video to a third party to transcript and return us a txt file for editing. The links below are two sites I've researched for editing systems.

<http://www.promax.com/c-24-pro-video-editing-systems.aspx>

<http://www.blphotovideo.com/c/search?Ntt=turnkey+Editing+Systems&N=0&InitialSearch=yes>

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Thanks
Michael Kyser
First Baptist Church
315.5599

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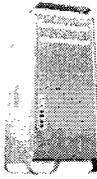
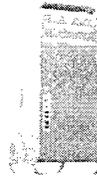
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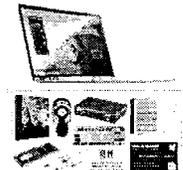
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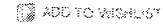
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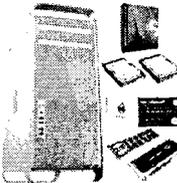


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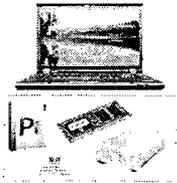
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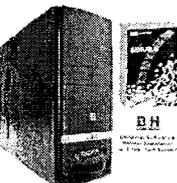


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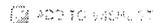
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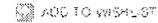
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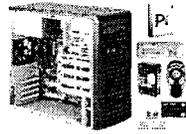
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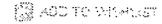
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SuperMicro / Adobe Premiere Pro CS5.5 Mid-Level
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 Contour Design ShuttlePRO v2 Controller
 B&H Software & Memory Installation
 1 Year of Technical Support

Price: \$3,323.50
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 Discount price: \$3,124.95
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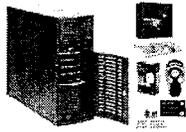
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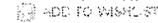
B&H # AVMC6PLTS

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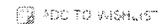
B&H Photo PC Pro Workstation **B&H Kit**
SuperMicro / Grass Valley EDIUS 6 Entry-Level Turnkey
Video Editing System

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 Native AVCHD & Real-Time Editing
 Multicam Workflow (16 Sources)
 Contour Design ShuttlePRO v2 Controller
 B&H Software & Memory Installation
 1 Year of Technical Support

Price: \$2,599.95

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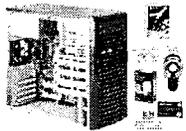
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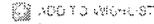
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Video Editing System

3.1 GHz Xeon e3-1220 4-Core Processor
 8 GB RAM, 1.5 TB Storage
 nVIDIA Quadro 2000 1 GB Graphics
 Windows 7 Professional (64-bit) 1080p50/60 & 4K Resolution
 Native AVCHD & Real-Time Editing
 Multicam Workflow (16 Sources)
 Contour Design ShuttlePRO v2 Controller
 B&H Software & Memory Installation
 1 Year of Technical Support

Price: \$3,174.95

Shipping Discount

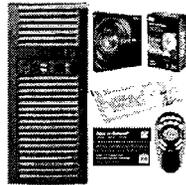
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NEW ARRIVAL

B&H # GRF65MLTS

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B&H Photo PC Pro Workstation **B&H Kit**
SuperMicro / Sony Vegas Pro 11 Entry-Level Turnkey
Video Editing System

2.8 GHz Intel Core i5-2300 Quad-Core
8 GB RAM, 500 GB + 1 TB System Drives
nVIDIA Quadro 600 1 GB Graphics
Windows 7 Professional (64-bit)
4K Resolution, RED & Stereo 3D Editing
Native AVCHD & XDCAM Real-Time Editing
Blu-ray Disc Authoring
Contour Design ShuttlePRO v2 Controller
B&H Software & Memory Installation
1 Year of Technical Support

B&H # SOVP11ELTS

Usually ships in 5-7 days

Price: \$2,554.50

Shipping Discount

QUANTITY: 1



NEW ARRIVAL

B&H Photo PC Pro Workstation **B&H Kit**
SuperMicro / Sony Vegas Pro 11 Mid-Level Turnkey
Video Editing System

3.1 GHz Xeon e3-1220 4-Core Processor
8 GB RAM, 1.5 TB Storage
nVIDIA Quadro 2000 1 GB Graphics
Windows 7 Professional (64-bit)
XDCAM, NXCAM, AVCHD, RED & 4K Support
Stereoscopic 3D Editing
Blu-Ray Authoring with DVD Architect Pro
Contour Design ShuttlePRO v2 Controller
B&H Software & Memory Installation
1 Year of Technical Support

B&H # SOVP11MLTS

Usually ships in 5-7 days

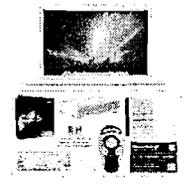
Price: \$3,034.50

Shipping Discount

QUANTITY: 1



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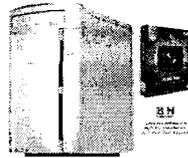


B&H Photo Mac Pro Workstation **B&H Kit**
17" MacBook Pro / Avid Media Composer 5.5 / Matrox
MXO2 Turnkey Editing System

2.3 GHz Intel Core i7 Quad-Core 8 GB DDR3 RAM
Avid Media Composer 5.5
MXO 2 LE SDI I/O Device / H.264 Encoder
4 TB SATA RAID System Thunderbolt Connection to Storage
ShuttlePRO v2 Jog / Shuttle Controller
Media Composer Keyboard Skin
Class on Demand Online Course B&H Tech Support - 1 Year

B&H # APH17AVHCT

Discontinued



B&H Photo PC Pro Workstation **B&H Kit**
Rain Solstice Pro / Vegas Pro 10 Turnkey Editing System

2.66 GHz Intel Core i5-750 Quad-Core 4 GB RAM
500 GB System Drive, 1 TB Scratch Drive
nVIDIA GeForce 9800 GT 1 GB Graphics
Windows 7 Professional (64-bit) 3D Editing, 4K & RED Support
Real-Time Audio Rendering
Native XDCAM HD/EX Import & Editing
B&H Software & Memory Installation
1 Year of Technical Support

B&H # SOVP10R5B5T
Discontinued

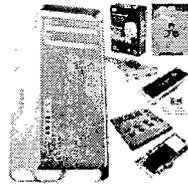


B&H Photo PC Pro Workstation **B&H Kit**
SuperMicro / Sony Vegas Pro 10 Entry-Level Turnkey Video Editing System

2.8 GHz Intel Core i5-2300 Quad-Core
8 GB RAM, 500 GB System Drive
nVIDIA Quadro 600 1 GB Graphics
Windows 7 Professional (64-bit)
4K Resolution, RED & Stereo 3D Editing
Native AVCHD & XDCAM Real-Time Editing
Blu-Ray Disc Authoring
Contour Design ShuttlePRO v2 Controller
B&H Software & Memory Installation
1 Year of Technical Support

B&H # SOVP10ELT5
Discontinued

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B&H Photo Mac Pro Workstation **B&H Kit**
Blackmagic Design DaVinci Resolve/Mac Pro RAID Turnkey System

2.4GHz 8-Core System 6GB RAM
ATI Radeon HD 5770 1GB GPU nVIDIA Quadro 4000
8TB (4x2TB) SATA Internal Hard Drive
Mac OS X 10.6 Snow Leopard
Mac Pro RAID 4x Expansion Card DaVinci Resolve Software
DeckLink HD Extreme 3D Plus Tangent Devices Wave Panel

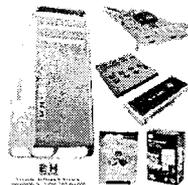
B&H # BLDRBT
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Price: **\$9,469.95**

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B&H Photo Mac Pro Workstation **B&H Kit**
Blackmagic Design DaVinci Resolve/Mac Pro Turnkey System

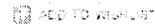
2.93GHz 12-Core System 6GB RAM
ATI Radeon HD 5770 1GB GPU nVIDIA Quadro 4000 2GB GPU
8TB (4x2TB) Storage Mac OS X 10.6 Snow Leopard
Blackmagic Design DeckLink HD Extreme 3D Plus
Blackmagic Design DaVinci Resolve
Tangent Devices Wave Panel

B&H # BLDRST
Usually ships in 5-7 days

Price: **\$11,088.95**

[Shipping Discount](#)

QUANTITY: 1



B&H Photo PC Pro Workstation **B&H Kit**
Rain Stratus Pro/Adobe Premiere Pro CS5.5 Turnkey System

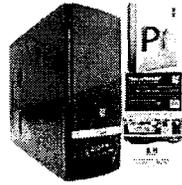
Price: **\$2,848.95**

Discount: **\$200.00**

Discount price: **\$2,648.95**

Limited supply at this price

[Shipping Discount](#)



2.66GHz Intel Core i5-750 Quad-Core 4GB RAM
 500GB System Drive 1TB Scratch Drive DVD Burner
 nVIDIA GeForce 9800 GT 1GB Graphics
 Windows 7 Professional (64-bit) Adobe Premiere Pro CS5.5
 Editing Keyboard

B&H = ADPC55RBST

Usually ships in 5-7 days



B&H Photo PC Pro Workstation B&H Kit
Rain Venturi Pro II/Adobe Production Premium CS5.5
Turnkey System

3.06GHz Intel Xeon Quad-Core 6GB RAM
 640GB System Drive 4TB (4x1TB) Scratch Drive DVD Burner
 nVIDIA Quadro FX 4000 2GB Graphics
 Windows 7 Professional (64-bit)
 Adobe Production Premium CS5.5 Editing Keyboard

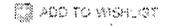
B&H = ADPPC55RBE2T

Usually ships in 5-7 days

Price: **\$5,549.95**

Shipping Discount

QUANTITY : 1



B&H Photo PC Pro Workstation B&H Kit
Rain Venturi Pro II/Adobe Production Premium
CS5.5/Blackmagic DeckLink HD Extreme 3D Plus
Turnkey System

3.06GHz Intel Xeon Quad-Core 6GB RAM
 640GB System Drive 4TB (4x1TB) Scratch Drive DVD Burner
 nVIDIA Quadro 4000 2GB Graphics
 Windows 7 Professional (64-bit)
 Adobe Production Premium CS5.5
 Blackmagic DeckLink HD Extreme 3D Plus Editing Keyboard

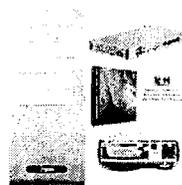
B&H = BLHDX3DRBE2T

Usually ships in 5-7 days

Price: **\$6,448.50**

Shipping Discount

QUANTITY : 1



B&H Photo PC Pro Workstation B&H Kit
Rain Venturi Pro II/Adobe Production Premium
CS5.5/Matrox MXO2 Max Turnkey System

3.06GHz Intel Xeon Quad-Core 6GB RAM
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 Adobe Production Premium CS5.5 Matrox MXO2 Max
 Editing Keyboard

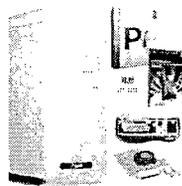
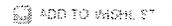
B&H = MAMXC55BE2T

Usually ships in 5-7 days

Price: **\$7,389.95**

Shipping Discount

QUANTITY : 1



B&H Photo PC Pro Workstation B&H Kit
Rain Venturi Pro/Adobe Premiere Pro
CS5.5/Blackmagic DeckLink Studio 2 Turnkey System

3.06GHz Intel Xeon Quad-Core 6GB RAM
 640GB System Drive 4TB (4x1TB) Scratch Drive DVD Burner
 nVIDIA Quadro 600 1GB Graphics
 Windows 7 Professional (64-bit) Adobe Premiere Pro CS5.5
 Blackmagic DeckLink Studio 2 Editing Keyboard

B&H = BDLSC55RBE1

Usually ships in 5-7 days

Price: **\$4,955.95**

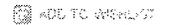
Discount: **\$200.00**

Discount price: **\$4,755.95**

Limited supply at this price

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QUANTITY : 1



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