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APR 24 2012
FCC Mail Room

Wednesday, April 18, 2012

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

Reference: Case Identifier: CGB-CC-0285

I. Petition from Exemption from Closed Captioning Requirements

Calvary Baptist Church respectfully submits this petition requesting continued exemption from the closed captioning requirements, under Section 79.1 of the Commission's rules. Calvary Baptist Church affirms that the information submitted in our previous petition is still current and up-to-date and believes our weekly broadcast still qualifies for exemption based on the following conditions:

Section 79.1(d) (8) Locally produced and distributed non-news programming with no repeat value. Programming that is locally produced by the video programming distributor, has no repeat value, is of local public interest, is not news programming, and for which the "electronic news room" technique of captioning is unavailable.

Section 79.1(t) Compliance would impose an undue burden upon Calvary Baptist Church for the following reasons:

1. Calvary Baptist Church would have to discontinue our program and cease broadcast operations.
2. Calvary Baptist Church is a non-profit, self-funded organization. Financial resources for our program come from charitable donations. Thus, we are solely responsible for all financial obligations. It would become necessary to invest further monies into having programs forwarded to an outside source for captioning; thus impacting our airtime deadlines. This added cost would be an undue burden on the ministry at this time.
3. Calvary Baptist Church's broadcast is an outreach ministry whose sole purpose is to share the message of the Gospel of Jesus Christ with our local community.

II. Introduction

Our church's television program is produced completely on the premises of Calvary Baptist Church.

Our church has been in existence since 1935 and believes that it has an integral mission to the community. The mission statement for our church is *"To magnify and follow Jesus Christ by Reaching Up – the Church gathered in Worship and Discipleship, Reaching In – the Church united in Fellowship, and Reaching Out – the Church engaged in Mission and Ministry."*

Our television program is an edited version of our Sunday morning worship service. We believe the program helps our church to reach out to those who either cannot or do not physically attend worship services in the community.

Each aired program is 58 minutes and 30 seconds in duration and airs every Sunday morning at 11:00 a.m. on WTVA TV, Channel 9 out of Tupelo, MS. The broadcast is an edited version of the Sunday service from the previous week. The program is filmed and produced at the church. With the exception of a part-time Media Director, the television ministry is completely operated by volunteers.

For the reasons set forth in the following, Calvary Baptist Church hereby requests an undue burden exemption from the closed captioning rules for its weekly television program, pursuant to 79.1(f) of the Commission's rules:

A. Nature and Cost of Closed Captions

WEPH, the local affiliate of Christian Television Network has offered to add closed captioning to our weekly program at a rate of \$225 per week. WTVA, the local NBC affiliate which airs our broadcast, quoted a substantially higher rate. Calvary Baptist Church simply cannot absorb an additional \$12,000 in fees related to our weekly broadcast. Subtitles and scrolls of the service would be costly as well due to increased man hours and the potential of losing our volunteers who help with the service because of the increase in hours necessary to complete the program. This would result in the need to compensate more individuals to cover this ministry area and thus incur additional costs.

B. Impact on the Operation of the Program Provider

The annual broadcast fee paid to WTVA to air our weekly broadcast is \$42,000. This cost does not include costs related to equipment replacement/repair, compensation for the Media Director, or any other expenses associated with the various volunteer man hours necessary for the completion of the program. The expense of adding closed captioning could increase our broadcast costs by more than 30%. This would severely affect our ability to continue in this ministry, possibly even bringing an end to the ministry altogether. Our television program does not solicit money on the air and is completely paid for through the church budget.

C. Financial Resources of the Program Provider

We operate on a yearly budget provided by the tithes and offerings of our members. To add to the cost of producing our television program would definitely place an undue burden on our budget and steer funds away from other ministries in which our church participates.

III. Conclusion

As shown by this petition, we believe that a waiver of the closed captioning requirements is warranted in our case because requiring closed captioning would create an undue burden on our church. The costs of captioning would be excessively high and would have a significant impact on our church's operations. Our church's type of operation and financial resources are different in kind and in magnitude from a mainstream programming

provider. We respectfully request a waiver under 79.1(f) of the Commission's rules.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Doug Spires". The signature is written in a cursive, flowing style with a large initial "D".

Rev. Doug Spires