



The WALT DISNEY Company

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June 12, 2012

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: Closed Captioning of Internet Protocol-Delivered Video Programming:  
Implementation of the Twenty-First Century Communications and Video  
Accessibility Act of 2010, MB Docket No. 11-154**

Dear Ms. Dortch:

On June 8, 2012, Townsend Davis (Assistant Chief Counsel, ABC); Keith Murphy (SVP, Government Relations & Regulatory Counsel, Viacom); Glenn Goldstein (VP, Media Technology Strategy, Viacom), and I met with Lyle Elder. We discussed the joint Comments of the Motion Picture Association of America, the National Cable & Telecommunications Association and the National Association of Broadcasters filed on June 6, 2012, in support of the DiMA Petition for Temporary Partial Exemption or Limited Waiver.

We explained that the industry is working hard to implement the 6, 12, and 18 month deadlines for providing television programming online with captions and we expected to be able to provide programming with basic captioning in that timeframe. We explained that our joint Comments were directed only at the inability to meet the Enhanced Captioning features on that same timeline. We agreed with DiMA that providing VPDs only 6 months to implement these features was unrealistic, particularly in light of the fact that device manufacturers have significantly longer to implement these same features in devices, and we urged the need to grant the waiver so VPDs would have as much time – until January 1, 2014 – to provide these enhanced features.

We described how devices provide this enhanced functionality in the television viewing environment and we explained that providing this functionality in the online environment is much more complex than simply repurposing basic captioning. The multiplicity of entities involved in the online content distribution chain adds to the complexity. We explained that for websites, some VPDs rely on software that has not yet been made available in a way that renders closed captioning with enhanced features and that the timing for making this software available is still unknown. Even after the basic code is made available, VPDs customize their media players and will need to do substantial software development on their own. We also explained that for captions that are rendered in a VPD's application, the variety of different platforms multiplies the level of complexity since the capabilities of each platform are different. Additionally, we described how synchronizing up the compliance dates for device manufacturers and



VPDs is desirable because of the interrelationship between these parties in the provision of Enhanced Captioning features.

We also explained that the VPAAC did not agree to a timeline for rolling out enhanced captioning features. Finally, we discussed how the FCC has ample authority to grant an industry-wide waiver of the deadline for all VPDs under existing precedent, and that an expeditious grant of the waiver was necessary and appropriate.

Respectfully submitted,

Susan L. Fox

cc: Lyle Elder