

CGB-CC-1238



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133 Hwy. 707 Connector

Mvrtle Beach

South Carolina 29588

September 12, 2012

Video Programming Accessibility – Refile for Exemption

To: WFXB Fox 43 TV- Florence SC

“Request for Waiver” EXEMPTIONS FROM CLOSED CAPTIONING RULES REFILE

Upon receiving denial for Exemption and reviewing our options, Beach Family Worship Center (501 c 3), pursuant to section 79.1(f)(1) of the Commission’s rules and Section 713 (d) (3) of the Communications Act of 1934, as amended (the “Act”) / hereby again requests a waiver of Section 79.1 (b) of the Commission’s rules requiring video programming distributors to provide closed captioning of their programming.

Beach Family Worship Center offers a television ministry through WFXB Fox 43 TV for the spiritual benefit of the community. The ministry is supported by donations from friends of the ministry and cannot afford the weekly cost of closed captioning. Volunteer editors and production people have only a few hours during the week to devote to the television ministry. This time would not currently allow for closed caption editing. After researching the cost of hiring a closed captioning service it is clear that we are unable to afford this service at this time as it would exhaust the donated TV ministry funds completely, leaving no room for air time costs.

Section 79.1 (f) (1) of the Commission’s rules and Section 713 (d) (3) of the Act provides that exemptions from the captioning rules may be granted upon finding that the closed captioning requirements will result in an “undue burden.” Section 79.1 (f) (2) of the Rules and Section 713 (e) of the Act define “undue burden” as “significant difficulty or expense.” IN the case of Beach family Worship Center, we would suffer both significant difficulty and extreme expense under the burdens of the closed captioning rules.

Section 79.1 (f) (2) of the Commission’s Rules and Section 713 © of the Act establish four factors to be considered in an undue burden analysis:

- i. The nature and cost of the closed captions for the programming;
- ii. The impact on the operation of the provider or the program owner;
- iii. The financial resources of the provider or program owner;
- iv. The type of operations of the provider or program owner

Under section 79.1 (f) 2 (i): Closed Captioning services are not available locally, requiring the produced video programming to be sent to an outside source for encoding. The cost of this service is roughly \$180.00 per program; a significant amount for the ministry at this time.

Under section 79.1 (f) 2 (ii): Once post production is complete each week, additional time would be required to apply closed captioning, delaying transmission of the programs to the public.

Under Section 79.1 (f) 2 (iii): Our television ministry relies solely on donations from friends of the ministry, which varies from week to week. Please see attached Profit Loss Statements for the last two Periods.

In view of the foregoing, Beach Family Worship Center, respectfully, again requests that a waiver of the closed captioning requirements for its church services and programming be granted.

Sincerely,

A handwritten signature in black ink that reads "Pastor Richard Button". The signature is written in a cursive, flowing style.

Pastor Richard Button  
Senior Pastor  
Beach Family Worship Center

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**Beach Family Worship Center**  
**Profit & Loss Prev Year Comparison**  
April through June 2012

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	<u>Apr - Jun 12</u>	<u>Jan - Mar 12</u>
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
General Operating Income	100,244.89	86,063.05
Non-General Operating Income	34,802.43	10,280.01
<b>Total Income</b>	<u>135,047.32</u>	<u>96,343.06</u>
<b>Gross Profit</b>	135,047.32	96,343.06
<b>Expense</b>		
General Operating Expenses	116,067.88	78,993.52
Non-General Operating Expenses	19,571.84	11,284.93
<b>Total Expense</b>	<u>135,639.72</u>	<u>90,278.45</u>
<b>Net Ordinary Income</b>	<u>-592.40</u>	<u>6,064.61</u>
<b>Net Income</b>	<u><u>-592.40</u></u>	<u><u>6,064.61</u></u>

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	Apr - Jun 12	Jan - Mar 12
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
<b>General Operating Income</b>		
<b>Congregational Income</b>		
<b>General Fund</b>		
Seed Offering	1,287.00	0.00
General Fund - Other	72,967.02	82,631.08
<b>Total General Fund</b>	<u>74,254.02</u>	<u>82,631.08</u>
<b>Total Congregational Income</b>	74,254.02	82,631.08
<b>Ministry Income</b>		
Georgetown Campus	7,096.79	0.00
marriage conference	0.00	1,231.56
Children's Church Offering	0.00	7.75
RG8	28.11	73.01
<b>Youth Group Offering</b>		
Forward conference	3,469.65	0.00
Youth Fund Raiser	2,490.41	0.00
Youth Group Offering - Other	425.97	289.65
<b>Total Youth Group Offering</b>	<u>6,386.03</u>	<u>289.65</u>
<b>Total Ministry Income</b>	13,510.93	1,601.97
<b>Program Income</b>		
Summer Care Program	8,779.94	0.00
After School Care Program	3,700.00	1,830.00
<b>Total Program Income</b>	<u>12,479.94</u>	<u>1,830.00</u>
<b>Total General Operating Income</b>	100,244.89	86,063.05
<b>Non-General Operating Income</b>		
Bond Issuance Retainer fund	1,000.00	0.00
Easter Ministry	0.00	42.16
CD Ministry	5.00	20.00
<b>Designated Special Offerings</b>		
<b>TV Ministry</b>		
Camera	600.00	15.00
TV Ministry - Other	719.50	0.00
<b>Total TV Ministry</b>	<u>1,319.50</u>	<u>15.00</u>
<b>2011 Expantion Project</b>		
2011 Expantion Project - Other	0.00	80.00
<b>Total 2011 Expantion Project</b>	0.00	80.00
Cans for Cape Town	199.00	167.00
<b>Benevolence Offerings</b>		
<b>Gift to Member</b>		
Patrick Johnson	206.23	0.00
Emmett Nelson	0.00	285.00
Billy & Janel DaMore	0.00	371.43
Tim & Amy Rivito	60.00	50.00
Franklin & Edel Hurd	0.00	1,170.00
<b>Total Gift to Member</b>	<u>266.23</u>	<u>1,876.43</u>
<b>Pastoral Care</b>		
Pastoral Care - Button	10,790.00	714.50
Pastoral Care - Other	0.00	155.00
<b>Total Pastoral Care</b>	<u>10,790.00</u>	<u>869.50</u>
<b>Total Benevolence Offerings</b>	11,056.23	2,745.93
Building Fund	0.00	10.00
<b>Evangelism &amp; Special Offerings</b>		
Guest Speaker	717.26	2,134.71
<b>Total Evangelism &amp; Special Offerings</b>	<u>717.26</u>	<u>2,134.71</u>

**Beach Family Worship Center**  
**Profit & Loss Prev Year Comparison**  
 April through June 2012

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	Apr - Jun 12	Jan - Mar 12
Jireh Generations	615.50	353.00
local outreach		
Bus Ministry	6,552.00	0.00
local outreach - Other	0.00	985.21
Total local outreach	6,552.00	985.21
Men's Ministry		
Men's Ministry - Other	0.00	217.00
Total Men's Ministry	0.00	217.00
missions		
Salama Temmers	13,212.94	0.00
Total missions	13,212.94	0.00
South Africa Missions		
South Africa Missions - Victoria	75.00	0.00
South Africa Missions -Long	50.00	0.00
Total South Africa Missions	125.00	0.00
Yan Venter	0.00	3,510.00
<b>Total Designated Special Offerings</b>	<b>33,797.43</b>	<b>10,217.85</b>
<b>Total Non-General Operating Income</b>	<b>34,802.43</b>	<b>10,280.01</b>
<b>Total Income</b>	<b>135,047.32</b>	<b>96,343.06</b>
<b>Gross Profit</b>	<b>135,047.32</b>	<b>96,343.06</b>
<b>Expense</b>		
<b>General Operating Expenses</b>		
_Necessary General Oper Exp		
Advertising and Promotion		
Advertising and Promotion - Other	0.00	50.00
Total Advertising and Promotion	0.00	50.00
Bank Service Charges		
returned item fee	0.00	35.00
Bank Service Charges - Other	52.50	12.00
Total Bank Service Charges	52.50	47.00
Building and Property Security		
Alarm System	163.72	426.24
Total Building and Property Security	163.72	426.24
Church Repairs & Maintenance	975.99	376.05
Cleaning Supplies		
Janitorial Expense	193.44	318.83
Total Cleaning Supplies	193.44	318.83
Housing Allowance	4,382.00	5,089.00
Insurance Expense		
General Liability Insurance	3,791.05	1,358.33
Health Insurance	1,429.17	1,429.17
Insurance Expense - Other	148.57	0.00
Total Insurance Expense	5,368.79	2,787.50
Legal Expenses	500.00	1,000.00
Loan		
Lien Loan	3,336.01	3,282.20
Loan - Other	23,814.24	16,618.40
Total Loan	27,150.25	19,900.60
Miscellaneous Expense	1,048.55	750.75

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<b>Office Supplies</b>		
Checks	331.00	0.00
paper	0.00	22.68
Copier	690.24	974.66
Postage and Delivery	45.00	0.00
Office Supplies - Other	489.26	538.64
	1,555.50	1,535.98
<b>Total Office Supplies</b>		
<b>Payroll Expenses</b>		
Salaries	32,552.01	27,136.90
Payroll Expenses - Other	140.00	120.00
	32,692.01	27,256.90
<b>Total Payroll Expenses</b>		
<b>Petty Cash</b>	1,300.00	1,074.22
<b>Taxes</b>		
Taxes - Federal Withholding	6,176.79	4,674.03
Taxes - Property	184.53	0.00
Taxes - State Withholding	1,607.96	1,371.06
	7,969.28	6,045.09
<b>Total Taxes</b>		
<b>Utilities</b>		
Telephone Expense		
Cell Phone Reimbursement	700.00	735.00
Telephone Expense - Other	1,341.41	1,187.00
	2,041.41	1,922.00
<b>Total Telephone Expense</b>		
Electricity	2,681.32	2,197.06
Water Bill	399.13	426.50
Website Fees	0.00	140.91
	5,121.86	4,686.47
<b>Total Utilities</b>		
<b>Total_Necessary General Oper Exp</b>	88,473.89	71,344.63
<b>Discretionary General Oper Exp</b>		
<b>Bond Issuance</b>		
Retainer	5,000.00	0.00
Appraisal	1,250.00	0.00
	6,250.00	0.00
<b>Total Bond Issuance</b>		
<b>Georgetown Campus Exp</b>		
Petty Cash- G'town	200.00	0.00
Telephone Expense - G'town camp	63.59	0.00
Electricity - G'town campus	360.00	0.00
Rent - Georgetown Campus	2,202.08	0.00
Georgetown Campus Exp - Other	1,307.05	0.00
	4,132.72	0.00
<b>Total Georgetown Campus Exp</b>		
<b>After School Care Program acct</b>	4,390.00	350.00
<b>Medical</b>	107.46	50.00
<b>Automobile Expense</b>		
Gasoline	1,217.85	534.02
	1,217.85	534.02
<b>Total Automobile Expense</b>		
<b>Benevolence Fund - General</b>	1,344.49	3,026.60
<b>Continuing Education</b>		
<b>Conferences and Meetings</b>		
Teaching Material	0.00	28.86
	0.00	28.86
<b>Total Conferences and Meetings</b>		
<b>Inhouse Ministry School</b>		
Inhouse Ministry School - Other	0.00	60.00
	0.00	60.00
<b>Total Inhouse Ministry School</b>		
<b>Total Continuing Education</b>	0.00	88.86
<b>Dues and Subscriptions</b>	0.00	35.00

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<b>Ministry Expense - General</b>		
<b>TV Ministry Exp</b>		
Camera exp	511.99	0.00
TV Ministry Exp - Other	1,006.77	0.00
<b>Total TV Ministry Exp</b>	1,518.76	0.00
<b>Bus Ministry</b>		
Gasoline - Bus	47.00	90.00
Bus Ministry - Other	2,332.50	0.00
<b>Total Bus Ministry</b>	2,379.50	90.00
<b>Children's Church</b>	0.00	52.38
<b>Nursery</b>	119.96	61.87
<b>Praise &amp; Worship</b>		
Batteries	152.98	150.48
Praise & Worship - Other	69.12	489.26
<b>Total Praise &amp; Worship</b>	222.10	639.74
<b>Youth Ministry</b>		
Forward Conference	2,406.46	0.00
Youth Ministry - Other	197.64	160.00
<b>Total Youth Ministry</b>	2,604.10	160.00
<b>Ministry Expense - General - Other</b>	1,260.07	331.50
<b>Total Ministry Expense - General</b>	8,104.49	1,335.49
<b>Property Improvement/Maintenanc</b>		
<b>Landscaping Expenses</b>	186.92	837.15
<b>Total Property Improvement/Maintenanc</b>	186.92	837.15
<b>Reimbursement</b>	1,080.06	516.08
<b>Rent Expense</b>	780.00	780.00
<b>Total Discretionary General Oper Exp</b>	27,593.99	7,553.20
<b>General Operating Expenses - Other</b>	0.00	95.69
<b>Total General Operating Expenses</b>	116,067.88	78,993.52
<b>Non-General Operating Expenses</b>		
<b>Designated Special Spending Exp</b>		
<b>2011 Expantion Project</b>		
2011 Expantion Project - Other	156.62	3,111.92
<b>Total 2011 Expantion Project</b>	156.62	3,111.92
<b>Designated Benevolence Fund</b>		
<b>Gift To Members</b>		
Partick Johnson	206.23	0.00
Tim & Amy Rivito	60.00	50.00
Franklin & Edel Hurd	0.00	1,170.00
Gift To Members - Other	0.00	600.00
<b>Total Gift To Members</b>	266.23	1,820.00
<b>Pastoral Care</b>		
Pastoral Care - Button	5,500.00	0.00
<b>Total Pastoral Care</b>	5,500.00	0.00
<b>Total Designated Benevolence Fund</b>	5,766.23	1,820.00

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	Apr - Jun 12	Jan - Mar 12
<b>Evangelism &amp; Special Events</b>		
<b>Guest Speaker</b>		
Salama Temmers 2012	12,338.01	2,040.00
Meals	203.31	0.00
Travel	200.01	0.00
Guest Speaker - Other	700.00	3,050.00
<b>Total Guest Speaker</b>	<u>13,441.33</u>	<u>5,090.00</u>
<b>Total Evangelism &amp; Special Events</b>	<u>13,441.33</u>	<u>5,090.00</u>
<b>Total Designated Special Spending Exp</b>	19,364.18	10,021.92
<b>Misc. Ministry Expenses</b>		
Marriage Conference	0.00	326.99
Baby Shower	36.50	0.00
Staff Meal	0.00	25.15
easter ministry	71.12	90.97
<b>Local Outreach</b>		
Rahab House	0.00	100.00
Local Outreach - Other	100.00	554.60
<b>Total Local Outreach</b>	<u>100.00</u>	<u>654.60</u>
Misc. Ministry Expenses - Other	0.04	165.30
<b>Total Misc. Ministry Expenses</b>	<u>207.66</u>	<u>1,263.01</u>
<b>Total Non-General Operating Expenses</b>	<u>19,571.84</u>	<u>11,284.93</u>
<b>Total Expense</b>	<u>135,639.72</u>	<u>90,278.45</u>
<b>Net Ordinary Income</b>	<u>-592.40</u>	<u>6,064.61</u>
<b>Net Income</b>	<u><u>-592.40</u></u>	<u><u>6,064.61</u></u>