



Fr. Cedric Ministries

The Passionists of Holy Cross Province 430 Bunker Hill Road, Houston TX 77024
tel 713 464 4932 x32 fax 713 932 7303 web www.frcedric.org

August 24, 2012

Office of the Secretary
Federal Communications Commission
Attn: Disability Rights Office, Room 3-B431
445 12 Street, SW
Washington, D.C. 20554

Received & Inspected
AUG 27 2012
FCC Mail Room

Re: Father Cedric Pisegna Ministries
Case Identifier: CGB-CC-0888
Program Name: "Live with Passion"
Reply Comments to Pending Petition for Closed Captioning Exemption

Dear Sir or Madam:

I am writing in response to the letter delivered to your office from the Institute for Public Representation of Georgetown Law (hereinafter, the "Institute") on August 6, 2012, in which five consumer groups representing the interests of the deaf and hard of hearing opposed my petition for an exemption from the closed captioning requirement for the television program "Live with Passion." As a vowed religious and the founder of Father Cedric Pisegna Ministries (FCPM), I am providing the following additional information in response to the particular issues raised by the Institute:

(1) **Cost of Captioning Services** – In the Institute's letter of opposition, it states that FCPM should provide "competitive hourly rate quotes and associated correspondence from several established captioning providers." Attached to this letter, please find rate quotes provided by four providers, namely CCA Media Productions, Aberdeen, Westside Media Group, and Caption Technologies, Inc. These quotes range from \$250 to \$300 to closed caption a single 30-minute program of "Live with Passion."¹ (Please note that this base rate is for caption preparation only, and excludes other costs, such as shipping.) As stated in my letter of June 15, 2012, FCPM produces an average of 14 programs per year. Utilizing the lowest quote provided, this amounts to, at a minimum, an additional \$3,500 per year that FCPM would have to incur for closed captioning any new programs.

However, as stated in my June 15, 2012 letter, there are 150 previously produced programs of "Live with Passion" that currently air on television stations nationwide. Because FCPM can only afford to produce 14 new programs per year, and "Live with Passion" airs regularly on various television stations (on some stations weekly, on other stations several times a week), this means

¹ The Institute's letter erroneously stated on page 1 that "Live with Passion" is an hour-long program.

that the majority of the programs aired are those that have been previously recorded. As a result, a denial of FCPM's petition for an exemption from closed captioning would force FCPM to closed caption all 150 previously recorded programs and to redistribute the newly captioned master copies of those programs to all stations currently airing them. As of this writing, "Live with Passion" airs on 29 stations. Based on revised information provided by Pyro-Media, which produces these programs, the cost of redistributing newly captioned master copies of all 150 previously recorded programs to these stations would be \$122,500 (see video production proposal dated August 23, 2012, attached). Thus, the final cost to FCPM of a denial of closed captioning exemption is as follows:

Cost to closed caption 150 pre-recorded programs at \$250 each	\$ 37,500
Cost to redistribute captioned master files	<u>122,500</u>
Financial impact of closed captioning	\$160,000

(2) **FCPM's Inability to Afford Captioning** – Attached to this letter, please find a profit and loss statement for FCPM for calendar year 2011 and an updated profit and loss statement for the first seven months of 2012, along with a copy of FCPM's bank statement for the month ended July 31, 2012. As of July 31, 2012, FCPM had \$70,664 of cash available to continue operations. The cost of closed captioning the 150 pre-recorded programs of "Live with Passion," calculated above as \$160,000, substantially exceeds the cash available for FCPM's operations. Accordingly, a denial of the petition for an exemption from closed captioning would cause FCPM to cease its television ministry.

(3) **Availability to FCPM of Alternative Sources of Funding for Captioning** – FCPM has sought assistance from each of the stations on which "Live with Passion" is aired. The largest network of these stations, Trinity Broadcasting Network, does not provide closed captioning for any program providers (see attached letter). Similarly, stations WSHM-Fox 66 in Flint, Michigan, and KVHP-Fox 29 in Lake Charles, Louisiana do not provide closed captioning services (see attached letters).² Despite repeated requests for a written communication from other stations airing "Live with Passion," thus far FCPM has only received verbal confirmation from those other stations that they also do not provide closed captioning services.

Religious programming differs greatly from other television programming in that it does not attract sponsors. Sponsorship, even when undertaken for public television programming, is undeniably motivated by the sponsor's expectation of a commercial return from building brand awareness among potential consumers of its products or services. Strictly faith-based content, such as that in "Live with Passion," does not offer any commercial potential to would-be sponsors. Instead, the only potential source of alternate funding for FCPM to afford closed captioning would be a grant from a private foundation that supports religious activities, particularly religious media. The grantmaking process can take several months from the initial submission of a grant inquiry to the potential receipt of funding. At this time, FCPM has not identified any charitable institutions

² Both Trinity Broadcasting Network and station WSHM-Fox 66 are listed as Video Programming Distributors on the FCC's website.

amenable to providing the necessary funding for the \$160,000 cost of captioning 150 pre-recorded programs, or for the cost of captioning new programs going forward.

As was stated in my letter of June 15, 2012, I am an ordained Catholic priest and a vowed member of a Roman Catholic religious order, The Congregation of the Passion, Holy Cross Province (hereinafter, the "Congregation"). In accordance with my professed vow of poverty and the Constitutions of the Congregation, I do not possess any personal financial assets that may be utilized to support FCPM's expenses, nor does any of FCPM's income benefit me personally. The Institute's letter states that "it is unclear why the cost of airing the television show itself is acceptable during periods when FCPM is operating at a loss." However, as I explained in my previous letter, the costs of producing "Live with Passion" are subsidized by my preaching and authorship activities. As a Passionist, I believe that bringing the message of Christ Crucified to a suffering world is sufficiently important that, to the extent that other ministry can support the cost of the television program, it should continue to be aired. It is the cost of closed captioning 150 previously recorded programs that would present such an undue economic burden that relying upon other ministry income would be insufficient, and the television ministry would be untenable.

In sum, I reassert my position that closed captioning of FCPM's programming would impose a truly untenable economic burden. Accordingly, I respectfully request that FCPM be granted an exemption from closed captioning the television program "Live with Passion."

If I can be of further assistance, or answer any questions about this letter, please do not hesitate to contact me at the address above, or by phone at (832) 573-3760.

Sincerely,

Father Cedric Pisegna, C.P. /K.P.

Father Cedric Pisegna, C.P.

Enclosures (10)



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CMP Rate Card for Closed Captioning Services

- \$150.00 for HD finished file when full script provided
- \$250.00 for HD finished file when transcription services required

CMP is a subsidiary of Communications Corporation of America with television stations in Louisiana, Texas and Indiana
700 Saint John Street, Suite 300, Lafayette, LA 70501
337-237-1142

Keith

From: Jared Wilkins <jared@masstvmedia.com>
Sent: Thursday, August 23, 2012 10:45 AM
To: Keith
Subject: FW: CC quote

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From: Jared Wilkins [<mailto:jared@masstvmedia.com>]
Sent: Wednesday, August 15, 2012 3:31 PM
To: 'Father Cedric'
Subject: FW: CC quote

FYI here is another quote.

From: Steve Holmes [<mailto:Steve@abercap.com>]
Sent: Wednesday, August 15, 2012 3:13 PM
To: 'Jared Wilkins'
Subject: RE: CC quote

Hi Jared,

Thanks so much for all the great referrals you continue to send to us. Sincerely appreciated!

Our standard roll-up captioning rate is usually \$225.00 + \$45.00 for a standard definition file delivery per station and/or \$70.00 for a BetaSP deliverable. There could very well be other costs depending on the workflow, but that should give you a good idea.

Please note also that there will be a 3% credit card convenience fee and payment must be processed before work can commence. Also, there may be shipping charges if not completely digital.

Does this help for now? Please let me know.

Thanks again!

Steve Holmes

Sales Engineer



22362 Gilberto, suite 120 | Rancho Santa Margarita, CA 92688
[direct] 949.216.1050 | [tf] 800.688.6621 x207 | [cell] 949.235.1941
[Digital Delivery](#) | [Captioning](#) | [Multi-Language Translation](#) | [Subtitling](#)

[facebook](#) [Aberdeen Blog](#) [twitter](#)



12233W Olympic Blvd., Suite 152
 Los Angeles, CA 90064
 310-979-3500

Pre-Invoice

DATE	PRE-INVOIC...
8/13/12	WSP-10741

BILL TO
The Mass Media Group P.O. Box 8881 Greenville, SC 29604

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 FCC Mail Room

P.O. NO.	TERMS	DUE DATE	SALES REP	PROJECT
		8/13/12		Father Cedric Pisegna Min

QUANTITY	DESCRIPTION	RATE	Total
29	FILE CREATION FOR CAPTIONING AND PREPARATION - NEED FILE	10.00	290.00
0.5	FINAL CUT PRO QUICKTIME OUTPUT SD	250.00	125.00
0.5	SD CLOSED CAPTIONING ENCODING PER HR.	50.00	25.00
1	BETACAM 30 MINUTE STOCK PURCHASE	11.00	11.00T

Subtotal		\$451.00
Sales Tax (8.75%)		\$0.96
Total		\$451.96

Phone #
310-979-3500

Web Site
www.wmgmedia.com

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Caption Technologies, Inc.

348 Ascot Ridge Lane • Greer, SC 29650

Phone: (800) 676-0211 Fax: (864) 848-6009

E-Mail: vicki@captiontech.com

OPEN & CLOSED
CAPTION/SUBTITLE FILE RATES

<u>Length</u>	<u>Prep Rate</u>
0-2 minutes	100
5 minutes	150
10 minutes	200
15 minutes	225
20 minutes	250
30 minutes	300
45 minutes	400
1 hour	500
1-1/4 hours	650
1-1/2 hours	800
1-3/4 hours	900
2 hours	1000
2-1/4 hours	1250
2-1/2 hours	1400
2-3/4 hours	1500
3 hours	1600

These rates are for caption preparation only. They do not include tape stock or encoding. Please provide script, if available.

Turnaround time for programs up to one-hour in length, excluding commercials, is approximately three to five working days. Commercials can be done in same-day turnaround.

captiontechnologies.com



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Video Production Proposal

Prepared for: Fr. Cedric Plisegna
Prepared by: Buddy Englett, Pyro-Media
buddy@pyro-media.com

Thursday, August 23, 2012

Proposal Number: 8/23/12/1

Thank you for choosing Pyro-Media. If you've come this far then it's obvious you appreciate quality and professional work- now it's time for us to deliver.

We've prepared this proposal with your project in mind. Please look over it carefully to make sure we understand your needs and that we're all on the same page.

With years of experience in developing professional, effectual productions, we're poised to offer you the best production available at a price that won't blow your budget. We're certain you'll agree, but if you have any questions about the budget please give us a call and we'll be happy to discuss it with you.

If you haven't already, you can see some samples of our work at www.pyro-media.com/samples.

Thank you for this opportunity to work with you on your project. We look forward to impressing you.



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Your Pricing

Item	Description	Quantity	Unit Price	Cost
Beta SP Tape Duplication	150 programs duplicated to 30 minute Beta SP tapes for 7 stations	1050	\$75.00	\$78,750.00
DVD Duplication	150 programs duplicated to DVDs for 20 stations	3000	\$7.00	\$21,000.00
MiniDV Tape Duplication	150 programs duplicated to MiniDV tapes for 1 station	150	\$65.00	\$9,750.00
FTP	150 programs uploaded per FTP for 1 station	150	\$20.00	\$3,000.00
Shipping	Shipping & Handling	1	\$10,000.00	\$10,000.00
Total				\$122,500.00

For detailed explanation of charges, please call and ask.

Remittance

Payment due as follows

1. 50% Deposit due upon agreement of proposal
2. 50% due on completion of final product

This proposal is good for 30 days.



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Approval

Your Signature

By signing below you give your agreement with the project as outlined, your consent to proceed with the project as defined by this proposal and to remit all payments as indicated.

Customer Signature of Approval

Date

Thank you for this opportunity to work with you,

Pyro-Media

The Congregation of the Passion
 Father Cedric Ministries
 Income Statement - Cash Basis
 Calendar Year 2011

<u>Month</u>	<u>Revenue</u>	<u>Expense</u>	<u>Income/(Loss)</u>
January	\$ 13,622.35	\$ (44,569.92)	\$ (30,947.57)
February	\$ 31,462.20	\$ (19,263.88)	\$ 12,198.32
March	\$ 17,847.36	\$ (5,642.05)	\$ 12,205.31
April	\$ 23,145.06	\$ (20,996.88)	\$ 2,148.18
May	\$ 14,082.93	\$ (12,795.15)	\$ 1,287.78
June	\$ 8,807.41	\$ (12,328.86)	\$ (3,521.45)
July	\$ 14,078.14	\$ (7,846.73)	\$ 6,231.41
August	\$ 38,594.39	\$ (37,463.31)	\$ 1,131.08
September	\$ 11,007.00	\$ (16,768.68)	\$ (5,761.68)
October	\$ 21,933.32	\$ (23,764.12)	\$ (1,830.80)
November	\$ 18,082.83	\$ (17,530.64)	\$ 552.19
December	\$ 878.50	\$ (8,810.00)	\$ (7,931.50)
Total	\$ 213,541.49	\$ (227,780.22)	\$ (14,238.73)

The Congregation of the Passion
 Father Cedric Ministries
 Income Statement - Cash Basis
 Calendar Year 2012 (through July)

<u>Month</u>	<u>Revenue</u>	<u>Expense</u>	<u>Income/(Loss)</u>
January	\$ 54,229.88	\$ (20,467.78)	\$ 33,762.10
February	\$ 16,425.64	\$ (34,767.48)	\$ (18,341.84)
March	\$ 17,521.57	\$ (39,140.07)	\$ (21,618.50)
April	\$ 25,646.21	\$ (17,742.15)	\$ 7,904.06
May	\$ 12,771.30	\$ (8,041.28)	\$ 4,730.02
June	\$ 15,322.75	\$ (15,248.59)	\$ 74.16
July	\$ 12,803.50	\$ (18,362.19)	\$ (5,558.69)
August			\$ -
September			\$ -
October			\$ -
November			\$ -
December			\$ -
Total	\$ 154,720.85	\$ (153,769.54)	\$ 951.31

CHRISTIAN BROTHERS INVESTMENT SERVICES, INC.

CATHOLIC UNITED INVESTMENT TRUST - FLEX CASH STATEMENT

PERIOD ENDING 07/31/2012

DUPLICATE STATEMENT

CBIS is now on Facebook! "Like" us at www.facebook.com/CBISsocial to keep up-to-date on all of our SRI initiatives and read our investment perspectives.

RGC SEQ. 031-042-000002-8
CONGREGATION OF THE PASSION



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ACCOUNT NAME: FATHER CEDRIC MINISTRIES

ACCOUNT NUMBER: [REDACTED]

***** INVESTMENT SUMMARY *****

DAYS IN CURRENT PERIOD: 31	AVERAGE DAILY BALANCE:	70,836.99
	PERIOD TO DATE	YEAR TO DATE
BEGINNING MARKET VALUE	76,230.33	69,901.17
PLUS DEPOSITS	12,803.50	154,720.85
LESS CHECKS (CHECK REGISTER)	-18,362.19	-153,769.54
LESS OTHER WITHDRAWALS (TRANSAC. DETAIL)	-7.50	-190.03
PLUS INCOME DIVIDENDS	0.30	1.99
ENDING MARKET VALUE	70,664.44	70,664.44
ANNUALIZED YIELDS:	0.00	0.00

***** TRANSACTION DETAIL *****

CHECK DEPOSIT	07/02/2012	246.00
CHECKING FEE	07/03/2012	-7.50
CHECK DEPOSIT	07/09/2012	407.00
CHECK DEPOSIT	07/11/2012	695.00
CHECK DEPOSIT	07/11/2012	275.00
CHECK DEPOSIT	07/16/2012	210.00
CHECK DEPOSIT	07/16/2012	320.00
CHECK DEPOSIT	07/16/2012	425.00
CHECK DEPOSIT	07/17/2012	955.50
CHECK DEPOSIT	07/19/2012	480.00
CHECK DEPOSIT	07/25/2012	270.00
CHECK DEPOSIT	07/26/2012	6,095.00
CHECK DEPOSIT	07/30/2012	1,935.00
CHECK DEPOSIT	07/30/2012	490.00
DIVIDEND REINVESTED	07/31/2012	0.30

***** CHECK REGISTER *****

#1892	07/18/2012	31.00	#1897	07/10/2012	2,500.00
#1893	07/13/2012	175.00	#1898	07/18/2012	5,200.00
#1894	07/20/2012	1,100.00	#1899	07/27/2012	2,966.19
#1895	07/13/2012	5,640.00			
#1896	07/10/2012	750.00			



**Media Services
Agency**

14171 Chambers Road
Tustin, California 92780-7091
Phone: (714) 665-2153
Fax: (714) 832-0645

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CLOSED CAPTIONING FOR THE TBN NETWORKS

The United States Congress passed the Telecommunications ACT of 1996 ("ACT"), the ACT mandates all programmers who provide programs or program materials to a television station or network, must now include closed-captioning for the hearing impaired on all new programs after January 1, 1998. All programs accepted and placed on TBN or The Church Channel must be closed-captioned.

The Trinity Broadcasting Network does not provide closed captioning for any programmers airing on any of it's networks. It is the responsibility of any and all programmers to provide their own closed captioning.

Sincerely

A handwritten signature in cursive script that reads "Jay Jones". The signature is written in dark ink and is positioned above the printed name.

Jay Jones
Media Services Director
Trinity Broadcasting Networks



WSMH
G-3463 W. Pierson Rd., Flint, MI 48504

T 810.785.8866 F 810.785.9056 wsmh.com

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August 21, 2012

Julie Esterle
Office Manager
The Mass Media Group
P.O. Box 8881
Greenville, SC 29604

Dear Julie:

WSMH does not provide closed captioning services for paid programmers like Father Cedric Pisegna's program, Live with Passion.

It is up to each advertiser to have their programs produced with closed captioning before submitting to our station.

Please let Father Cedric know we do appreciate his business and look forward to working with him again in 2013.

Sincerely,

WSMH-FOX66

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August 23, 2012



To Whom It May Concern:

Neither KVHP FOX29, nor NVHP LCCW provide closed captioning services for the paid programs we air on these stations. It falls on the advertiser to provide closed captioning.

129 W. PRIEN LAKE RD

LAKE CHARLES, LA

70601

337.474.1316

Fax 337 310 0322

watchfox29.com

cwlakecharles.com

Sincerely,

A handwritten signature in black ink that reads "Mandi Burk". The signature is written in a cursive, flowing style.

Mandi Burk

National Sales Coordinator