

11421 Viridian Way
Austin TX 78739

Received & Inspected

SEP 14 2012

FCC Mail Room

September 10, 2012

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

RE: Case Identifier #: CGB-CC-1197 for television program *The Austin Real Estate Experts*

Enclosed you will find my petition for further review in regards to the exception to closed captioning for television programming. In this petition you will find that I have sought closed captioning assistance from my video distributor LIN Media. Their letter states that they can charge me for closed captioning, however the fee is more than my cost for television airtime. As noted in my original petition I am a small business and closed captioning each of my four weekly *The Austin Real Estate Experts* programs would be economically burdensome. This shows that my programming will not be shown if it is required to provide captions.

Also enclosed are emails from various other independent closed captioning services describing their fees and time of delivery for programs. Once again, due to the fees that will be incurred, using these services would prevent my programming from being aired on television.

I have asked my sponsors for assistance for closed captioning. Enclosed is a letter from my primary sponsor The Austin Real Estate Experts real estate group part of Keller Williams Realty. Again, with a proposed rate increase to cover the cost of closed captioning I would lose my primary sponsor and thus prevent me from airing my programming.

The Austin Real Estate Experts is a local real estate show that showcases featured real estate listings from this local real estate team. The program offers graphic lower third text where any viewer may visit the real estate team's web page for more written details about the homes that are being showcased. As such, homes that aired on television require timely airtime to help the real estate team market the home efficiently and effectively. A delay in airing the programming would render my program useless to the team needing to market and sell properties.

Sincerely,



Ronald A. Yakerson

DIGITAL EXPOSURE

Enclosures (3 with supplemental material)



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August 31, 2012

Ron Yakerson
Digital Exposure
11421 Viridian Way
Austin, Texas 78739

Ron,

Regarding your inquiry as to the cost of closed captioning your paid programming on stations, the weekly cost per program would be \$60, which is MORE than the \$50 you are paying to air each program. The cost is high due to the fact that each show will have to be first transcribed, and then entered into the system. The process is very labor intensive and again, due to the number of programs you air, would take a good deal of time on our end. If there were an internal way around this be assured that I would take it as you are a long time customer of our stations. However, the situation is as it is. Let me know if there is anything I can do on this end.

Thanks for your continued business!

Steve Stites
Account Executive
LIN Media Austin

The **Austin** Real Estate Experts

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Dear Ron,

It has come to our attention that there is a proposed rate increase related to cover costs associated with close captioning. This increase would create an undue hardship on Greg and I as sponsors of the show, as we have not budgeted for this in our business plan. We would love to remain on as sponsors of the show, and appreciate the closed-captioning feature, but cannot sustain a rate increase and still participate.

Sincerely,

Matt Menard and Greg Young



1335 E. Whitestone BLVD ste Z-200 Cedar Park, Texas 78613
Office: 512.616.4032 Fax: 512.616.3983

*Each office is independently
owned and operated*

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Hi Ron! Thank you for contacting VITAC!

Our rate for English realtime (live) captioning is \$150 per hour. This includes pre-event setup and testing paired with captioning by the best captioners in the industry. We're also happy to offer encoder and audio coupler rental, caption transcripts, and timecoded text files for an additional charge.

For more details and to book your event, please contact me at 724-514-4077 or clientservices@vitac.com. To provide a detailed quote I will need to know the date and time of your program or event and any additional services you may need.

Our rate for offline captioning is \$300 (roll-up) to \$600 (pop-on) per hour. You can see examples of each of the styles on our web site: http://www.vitac.com/services/broadcast_captions.asp

I also have encoding rates if you'd like for us to handle encoding the files for the programs you're looking to have done offline.

Are both of your shows ongoing series? I see one is a showcase of homes and the other is talk show offering real estate tips.

Let me know if you have any questions and let us know when you'd like to get started.

I look forward to working with you and hope to hear from you soon!

Ryan Nickoli
Client Sales & Services Representative

VITAC

A Merrill Communications Company

Captioning. Done. Right.

1325 G Street NW, Suite 200
Washington, DC 20005
CSS Hotline: 724-514-4077
Dtc. 202-697-4500
Fax 202-679-8491
www.vitac.com

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Ron Yakerson,
Thanks for your inquiry today regarding captioning and transcription requirements for your organization. AST was funded through the US Dept of Education to create a captioning system that is cheaper, faster, and easier to use than traditional captioning.

Our system is entirely electronic - users submit content for captioning over the web and we will return caption results electronically. We can return a variety of result types, including caption files for podcasts, web media (QuickTime, Windows Media, Real, Flash), DVD authoring (caption and subtitle files), videotape encoding, and broadcast captioning. We also offer a number of other formats to support GoogleVideo and video search functions. You can get multiple caption result formats at no additional cost - you can request as many formats as you like.

We also offer transcription-only services if you are just after a transcript. We make extensive use of automation technologies to get the cost low, but our transcription is done by trained stenographers; we **do not** use speech-recognition technology to generate the transcripts due to the high error rate that such technology suffers from.

I have attached an overview of our system and our price sheet. As you can see, we charge \$184.80 per content hour (\$3.08 per minute) for transcript and caption files and we offer over 50 output types, all listed at <http://www.automaticsync.com/captionsync/support/result-formats/>. We are integrated with a wide variety of video platforms and lecture capture systems. We offer services in English and Spanish.

To create an account on our system, please fill out the form at http://www.automaticsync.com/caption/sign_up.php

Please email or call me if you have any questions. Thanks!

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Kara Stark
Automatic Sync Technologies
www.automaticsync.com/caption
Phn: 877-278-7962 x715

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From: Emily Bell <emily@captionmax.com>
Subject: captions for The Austin Real Estate Experts
Date: August 16, 2012 12:19:03 PM CDT
To: "mgb@exposeyourmedia.com" <mgb@exposeyourmedia.com>

Hi, Ron.

Thank you for the information about your project. For a series of half-hour programs, we can create roll-up closed captions for \$175 per episode or pop-on closed captions for \$275 per episode. This includes script import if you have one or professional human transcription if you don't, caption timing and formatting, PreciseCheck, and export of a caption data file such as an .scc.

You can see the difference between the two caption styles in our [sample gallery](#). Roll-up is more commonly used for documentary-style programming, while pop-on is the style that is more easily conformed to subtitle or webcast formats.

If you would like us to insert the caption data into your H.264 video as a Closed Caption Track, we can do that for an additional \$125 per file. Or you can do that on your end with the .scc file using Apple Compressor.

Videos can be uploaded to our easy-to-use [website](#). Standard turnaround is about 3 business days but we can meet virtually any turnaround request, and we can give you a more specific estimate when we know more about your delivery schedule.

For live captions of prescheduled English-language programming, we can supply a certified realtime writer for \$75 per half-hour. We would just need an audio feed for the writer and the IP address or modem number of the closed caption encoder.

Please let me know if there are any questions I can answer for you or if there's anything else we can provide.

Thanks.
Emily

Emily Bell
Multimedia Manager
CaptionMax
direct: 612.036.1000
main: 612.041.0300

Ronald Yakerson
11421 Viridian Way
Austin TX 78739

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September 12, 2012

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

RE: Case Identifier #: CGB-CC-1197 for television program *The Austin Real Estate Experts*

Affidavit of Ronald Yakerson

My name is Ronald Yakerson. I am 38 years old, working as a videographer, and currently reside at 11421 Viridian way Austin TX 78739.

I Ronald Yakerson certify and swear under PENALTY OF PERJURY under the laws of the State of Texas that all information and documentation under case number: CGB-CC-1197 for television program "*The Austin Real Estate Experts*" is true and correct.

A handwritten signature in black ink, appearing to read 'Ronald Yakerson', is written over a horizontal line.

Ronald Yakerson