

OCT 18 2012

FCC Mail Room

I, Paul Gray, of lawful age, being duly sworn, depose and state:

#### PREFACE

I am the producer of an independent, local 30-minute television program, Exploring Alaska, produced in Soldotna, Alaska which airs weekly on our local ABC affiliate – KYUR. The program is broadcast on Sundays at 4:30 PM.

Producing captioning for this program would result in significant expense and time restraints. Thus, for the reasons set forth below, Exploring Alaska hereby requests an "Economically Burdensome Exemption" from the Closed Captioning rules pursuant to SS79.1(f) of the Commission's rules.

#### COST, METHODS, AND AVAILABILITY OF PROVIDING CLOSED CAPTIONS

Exploring Alaska does not generate sufficient income to acquire closed caption equipment. Furthermore, there are no facilities in Alaska offering Closed Captioning encoding. I verify that Closed Captioning has been sought from the local station, KYUR. This station does not have the technology for Closed Captioning. Increased post production becomes problematic in the increased turnaround time and number of hours required to perform this task.

#### OPERATIONAL IMPACT

Exploring Alaska's annual gross income is \$46,000 per year or \$900 per week. Closed Captioning will increase the cost per week by \$123 for captioning with an additional \$84 weekly for FedEx shipping back and forth. Please see current information about the costs of Closed Captioning on attached rate sheet. This expense will increase the production cost by adding an additional production cost of \$10,764 on an annual basis.

An increase will place a hardship on Exploring Alaska as the cost cannot be absorbed commercially or underwritten through grants or by providing commercial space to other business. I verify that I have sought additional sponsorships, and do not otherwise have the means to provide Closed Captioning for the program. Unfortunately the increased expenditures would compromise the ability to continue production of Exploring Alaska.

#### FINANCIAL PRO FORMA

The classification of Exploring Alaska is educational. The goal of its production is not driven by commercial or financial gain, but rather as a venue for providing a historical informative program.

With a gross income for 2011 of \$46,800, requiring Exploring Alaska to adhere to the Closed Captioning rules would increase the 2013 cost of production by \$10,764. The loss nearly exceeds the total production budget for the program and therefore creates an economically burdensome undertaking framing an appeal within the intent of SS79.1(f) of the Commission's rules. The soonest appointment I can get with my CPA (George Stien) is November 3, 2012, which is past my 30 day deadline for this. Documentation of financial status will be available after this appointment.

#### CONCLUSION

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In consideration of the aforementioned further Closed Captioning exemption notations, Exploring Alaska seeks an exemption for the requirements for Closed Captioning pursuant to SS79.1(f) of the Commission's Rules. The FCC has a stated policy of promoting small independent program producers. Yet, at the same time, it is imposing additional financial burdens on small programmers like me by requiring them to provide closed captioning at a significant additional expense. We believe that the closed captioning requirements, as they are applied to independent program producers, are fundamentally unfair and inconsistent with the FCC's "many voices" policy of program diversity.

This concludes my affidavit.

I, THE UNDERSIGNED, BEING DULY SWORN, STATE AS FOLLOWS:

1. I am the Producer and owner of the television program Exploring Alaska
2. I am personally and financially responsible for the production and post-production of Exploring Alaska within budgetary confines of approximately \$900 per episode
3. I attest that all statements submitted in support of this waiver application under the "Economically Burdensome Exemption" from the Closed Captioning rules pursuant to SS79.1(f) of the Commission's rules are, to the best of my knowledge true and accurate
4. I attest that without the waiver pursuant to SS79.1(f) that Exploring Alaska will no longer be commercially sustainable, and
5. I am personally responsible for all narrative and financial information herein.

Paul Gray  
Signature

Paul Gray, Exploring Alaska

10-16-2012  
Date

NOTARY STATEMENT

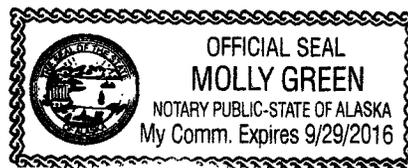
State of Alaska  
3<sup>rd</sup> Judicial District

I, a duly appointed Notary in and for the State of Alaska, attest that the above individual personally appeared before me on this 16 day of October, 2012 and he did sign the above document of his own free will.

Molly Green  
Molly Green

Notary Public for the State of Alaska

My commission expires September 29, 2016.



Received & Inspected

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## Closed Captioning Services

Atlantic Coast Communications can add closed captioning to your video productions - quickly and affordably! We can accommodate a quick turn around and work with a variety of formats including Beta SP, DV, Mini DV, DV Cam, DVD, and HD in MPEG2. We can also add closed captioning via FTP and take care of any of your closed captioning needs.

## SPECIAL INTRODUCTORY OFFER!

<b>ONE FREE WEEK WITH YOUR FIRST FLIGHT PURCHASE</b>	Caption Type	Roll Up		Pop Up	
	Length	30 minutes	60 minutes	30 minutes	60 minutes
	One-time project	\$179	\$298	\$196	\$336
	Weekly project	\$123	\$191	\$149	\$225
	Daily project	\$115	\$183	\$140	\$217
	Files*	Free Upload	Free Upload	Free Upload	Free Upload

\*The above rates apply to a turnaround time of six days or greater and meet the simple "B" FCC legal requirements. Add 10% for projects that have a turnaround time of two to five days and 25% for projects that have a turnaround time of less than 24 hours. There is no charge for uploading a caption file for your video editor. There is a \$20 upload fee of a M-PEG program stream full length video directly to a server. The above rates do not cover special projects, such as closed captioning of video productions with multiple speakers or for "A" accuracy levels above 90%. We offer tape dubbing as low as \$25 per dub.

Rates do not include shipping and media stock. We will use your preferred method of shipping (UPS Next Day, 2-Day, Ground...). Shipping fees are based upon current UPS rates from Greenville, NC 27834. All rates are subject to change without notice.

## Contact us

Contact us today at [caption@accradio.com](mailto:caption@accradio.com) to take advantage of these low rates.