

ORIGINAL

December 17, 2012

Frank Leto
5200 Summit Ridge Dr., Apt. 4312
Reno, NV 89523

Marlene H. Dortch, Secretary
Federal Communications Commission, Office of the Secretary
445 12th St., SW, Room TW-A325
Washington, DC 20554

FILED/ACCEPTED

DEC 17 2012

Federal Communications Commission
Office of the Secretary

Re: Case No. CGB-CC-0011, CG Docket No. 06-181

Dear Ms. Dortch:

Last summer, I applied on behalf of Zomboo, Inc. for an FCC decision to extend the waiver that has allowed myself and a number of other individuals in Reno to continue producing "Zomboo's House of Horror Movies" for broadcast on local television without incurring the cost of closed captioning. We explained in the waiver request that, over many years of volunteer effort, we have established a small but loyal audience for "Zomboo" and created an icon in our community that exists to entertain rather than sell products or services. We also explained that "Zomboo" has essentially no revenues, so despite all the donated time, cameras, studios, production equipment, clothing, and the like, Zomboo, Inc. loses money every year.

Georgetown University Law School filed an Opposition to our waiver request on behalf of a so-called coalition of "Consumer Groups." The Opposition argues that, in addition to *volunteering* our time, effort and money, we should all be reaching *much* deeper into our pockets to caption "Zomboo." They seem to mock the fact that volunteers donate their own money and own time to bring Reno a program that otherwise would not be available on television. In fact, they argue that we should either add captioning and thereby nearly *quadruple* Zomboo Inc.'s annual losses to \$24,728, or we should just cancel the program.

We are sympathetic to the needs of the deaf community. The simple fact, as explained previously, is that we cannot afford to spend more money on our money-losing labor of love. Unlike the so-called Consumer Groups, we do not have wealthy donors and huge grants, despite our repeated efforts to find even meager grants to support captioning.

Our waiver request satisfies the FCC's established criteria for a waiver, leaving the FCC with a very clear choice. The FCC may decide that "Zomboo" is a sufficiently valuable locally produced program that adds to the diversity of America and the diversity of broadcast programming, precisely as the FCC envisioned when it created the captioning waiver process. Or the FCC may decide that our small, money-losing local production should disappear from television in favor of homogenous content like another syndicated game show so long as the replacement program is backed by a media conglomerate that can afford to caption the identical program fed to 200 markets.

Respectfully submitted,

_____/s/_____
Frank Leto/ Zomboo, Inc.

No. of Copies rec'd 0+2
List ABCDE