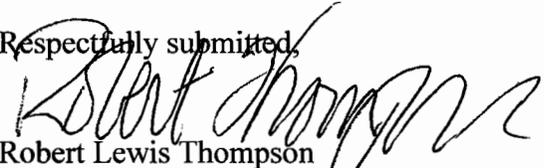


day.⁴ The captioning embedded in this weekday HD program (delivered by electronic means via Pathfire) recently has become jammed and intermittently garbled. Id. The Stations' engineering staff advises that this problem is software related and they are working diligently with the Stations' vendors (Digital Broadcast and Vela Broadcast, among others) to solve this captioning glitch. Id. The Stations are informed that the problem should be solved in the next 90 days, if not much sooner. Id.⁵

Accordingly, and until the temporary technical glitches can be corrected, NPG respectfully requests that the FCC, through the CGAB's Disability Rights Office, grant these Stations a temporary, 90-day waiver from the captioning rules. There is good cause for a grant of this limited, temporary waiver, in order that this vital, medically-oriented program can continue to be broadcast – notwithstanding captioning that is limited, inconsistent and often garbled – to the Stations' audiences in the Santa Barbara DMA.⁶

Respectfully submitted,



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Counsel for NPG of California, LLC

April 26, 2013

⁴ See Appendix A.

⁵ The DRO will be promptly notified by email just as soon as the captioning “glitches” are corrected.

⁶ See, e.g., Charter Communications, Inc., CS Docket No. 97-80 and MB Docket No. 12-328, released April 18, 2013 (two-year waiver granted); Implementation of Commercial Advertisement Loudness Mitigation (CALM) Act, MB Docket No. 11-93, released December 11, 2012 (two temporary waiver requests--for compliance with FCC rules--granted); Waiver of Digital Testing et al., MB Docket No. 05-317, released May 1, 2006 (six-month waiver granted).

Sworn Statement of Lyle Leimkuhler

I, Lyle Leimkuhler, am EVP and CFO of News-Press & Gazette Company, parent of NPG of California, LLC, the licensee of KEYT-TV and KSBB-LP, Santa Barbara, CA ("Stations").

I have read the foregoing "Petition for Temporary Waiver," to be filed with the FCC on behalf of the Stations, and believe in good faith and under penalty of perjury that the facts stated therein are true and complete.


Lyle Leimkuhler

April 26, 2013