

August 5, 2013

Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: *In the Matter of Accessibility of User Interfaces, and Video Programming Guides and Menus, MB Docket No. 12-108, Notice of Proposed Rulemaking (FCC 13-77)*

Dear Commissioners:

City of Oakland KTOP-TV/10 submits this letter in the above-referenced rulemaking.

KTOP-TV is a local Government Television station in Oakland, California. Local Government programming consisting of Council meetings and Commission meetings are carried “live” and account for approximately 2,500 hours per year of “live” programming. KTOP-TV’s programming is available to all of Oakland’s community members which account for approximately 400,000 households.

All of Oakland’s Committee meetings and Council meetings are “closed captioned”. The onscreen video programming guide of our multichannel video programming distributor; Comcast, does not provide a label or symbol indicating that these programs have closed captions. This technicality reflects on the broadcaster, KTOP-TV and not the program distributor Comcast which is a serious problem.

We have program descriptions and accessibility information readily available for our programs with accessibility options such as closed captions. However, currently, KTOP’s program distributor, Comcast, describes our programming generically as: GOVERNMENT ACCESS PROGRAMMING. This level of information is inadequate to meet the accessibility goals of the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA). KTOP’s viewers cannot determine from the MVPD’s video programming guide what our programs are and whether our programs are accessible. Thus, viewers with visual or auditory disabilities cannot make meaningful video program choices.

Our community is also served by AT&T’s U-verse multichannel video service, which has created unique and especially difficult problems for visually-impaired viewers wishing to view PEG channel programming that are discussed in the comments filed by the Alliance for Communications Democracy, the Alliance for Community Media, and Chicago Access Corporation (CAN TV). Unlike the linear PEG channels on our incumbent cable operator’s system, which the visually impaired can reach simply by remembering the right channel number **10**, with AT&T’s PEG product the visually impaired must somehow, after punching in channel **99**, figure out how to visually navigate a series of menus and sub-menus just to reach any of our PEG channels. The more PEG channels in the DMA and the more PEG channels in each

jurisdiction, the more sub-menus the visually impaired must somehow figure out how to “see” and navigate. In short, the visually impaired are genuinely, and dramatically, disadvantaged compared to the non-visually impaired in accessing, and being able to have the same functionality with respect to, our PEG channels on AT&T’s U-verse system.

We urge the Commission to adopt rules that would require video programming guides and menus which display channel and program information include, for all channels, high level channel and program descriptions and titles, as well as a symbol identifying the programs with accessibility options (captioning and video description).

Thank you for the opportunity to submit these comments.

Michele Morton, Program Director, KTOP-TV

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