



November 5, 2013

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of Ex Parte Communication, CG Docket No. 05-231,
ET Docket No. 99-254, MB Docket No. 11-154

Dear Ms. Dortch:

On November 4, Kelly Williams and the undersigned of the National Association of Broadcasters (NAB) met with Cynthia Bryant, Eliot Greenwald, Gregory Hlibok, Kris Monteith, Suzanne Rosen Singleton, Karen Peltz Strauss, and Caitlain Vogus of the Consumer and Government Affairs Bureau. The purpose of the meeting was to discuss closed captioning quality on television. Providing quality captioning to viewers is a shared goal and we look forward to continuing to work with the Commission on this important issue.

With respect to the accuracy, placement, timeliness and completeness of captions, NAB reiterated our position that defining uniform metrics for quality and timing (including technical and non-technical standards) raises significant challenges. We urged the Commission to refrain from adopting specific numeric captioning quality standards.¹ We also urged the Commission to continue to balance all interests to work towards practical solutions to increase caption availability and quality.

We also reiterated that the reality is that broadcasters for the foreseeable future must continue to rely on a limited pool of persons to caption they produce. And, for programming they do not produce themselves, broadcasters must rely on program producers to ensure the programming has been properly captioned. Inherent in this process is an unavoidable truth, that in captioning both live and recorded programming, both human error and transmission delays will preclude perfect captions.

¹ See Comments of the National Association of Broadcasters In the Matter of Closed Captioning of Video Programming, CG Docket No. 05-231, Nov. 10, 2005 at 10-15 (NAB Comments); See *also* Reply Comments of the National Association of Broadcasters, CG Docket No. 05-231, Dec. 16 2010 at 5-10.

1771 N Street NW
Washington DC 20036 2800
Phone 202 429 5300

Marlene H. Dortch
November 5, 2013
Page 2

We also stressed the importance of use of the Electronic Newsroom Technique (ENT), particularly in smaller markets. Extending the prohibition beyond the top 25 markets could likely result, both on cost considerations and the continued challenges associated with securing real-time captioners, a loss of news coverage.²

Finally, we discussed options for monitoring the presence of captions at broadcast facilities.

Please direct any questions regarding these matters to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ann West Bobeck". The signature is stylized with a large, looped initial "A" and a long horizontal stroke extending to the right.

Ann West Bobeck
Senior VP and Deputy General Counsel
Legal and Regulatory Affairs

² See NAB Comments at 6-9; NAB Replies at 11-15; See also In the Matter of Consumer & Governmental Affairs Bureau Seeks to Refresh the Record on Notices of Proposed Rulemaking Regarding Closed Captioning Rules, CG Docket No. 05-231, ET Docket No. 99-254, Reply Comments of NAB, Dec. 9, 2010 at 2-6.