

liturgy. Often it is a group of people who gather together specifically for the purpose of televising the liturgy.

Time constraints that are placed on the liturgy often control the flow of the liturgy (limiting the number of readings, length of homily, choices of music and other options) rather than allowing the liturgy to flow at an unhurried pace.

Editing the liturgy by cutting out particular elements of the Mass, or by using special effects to enhance the liturgy artificially (e.g., superimposing a crucifix on the host during the elevation, the incorporation of outside images), should not be done.

The studio format and techniques may be distracting for those gathered to celebrate the eucharist in that setting and may make the priest and other ministers appear to be actors rather than leaders of public worship.

Guidelines

Given the communal nature of liturgical prayer, it may, at times, be preferable to televise some forms of prayer other than the eucharist, such as Morning or Evening Prayer, a Liturgy of the Word, or Scripture services. However, when a liturgy (especially the Sunday Mass) is to be televised, the following guidelines are suggested:

Responsibility of the Diocesan Bishop

The bishop of a diocese in which a televised Mass is produced has the responsibility to see that liturgical law is carefully observed, especially regarding the liturgical feasts and seasons, the use of approved liturgical texts and translations of Scripture, proper vesture, and ministers fulfilling their proper roles in the liturgy. Since these telecasts often cross diocesan lines, collegial responsibility should be exercised by the bishops involved (*SC*, #22 and *Inter Mirifica*, #20).

Live vs. Pre-recorded Celebrations

Whenever possible, the liturgy should be telecast live. When this is not possible, consideration may be given to pre-recording the liturgy. A liturgy that is pre-recorded for delayed telecast should be taped as it is celebrated in a local worshipping community and then be telecast at a later time on the same day. Only when neither of these options is possible, should the liturgy be taped in advance in a setting other than a regularly scheduled liturgy celebrated by a local worshipping community. In order to reflect the integrity of the liturgical year, a pre-recorded liturgy should be taped on a date as close as possible to the date of the actual telecast. In order to preserve the sacred character of the liturgical celebration, only one liturgy should be recorded on a given day with the same group of people.

Time Constraints

The celebration of the liturgy should not be rushed, nor should elements of the

liturgy be omitted. Those responsible for planning, production, and presiding need to be sensitive to the requirements of the liturgy as well as the time constraints of television. For the integrity of the liturgy, those who produce the televised liturgy should be discouraged from editing out parts of the Mass (e.g., the Gloria, one of the readings). Planning and the careful choice of options can help to keep the celebration within the particular time frame.

The Assembly

No other single factor affects the liturgy as much as the attitude, style, and bearing of the celebrant (*Music in Catholic Worship*, #21). Therefore, the priest who is to preside at a televised liturgy should be carefully chosen and properly prepared. Since the liturgy is the work of Christ and the work of God's people, the televised Mass should always be celebrated within a living community of God's people whose presence reveals the full, conscious and active participation of the faithful. Even when the liturgy to be televised is taped apart from a regularly scheduled parish liturgy, there should always be a group of people who participate in the liturgy as fully as possible by their prayer, song, and presence.

The Word

Whenever possible, the Word of God should be proclaimed in its entirety. When time is a concern, the short forms in the *Lectionary* may be used. Since the homily is an integral part of the liturgy and necessary for the nurturing of the Christian life, there should always be a homily for the televised Sunday Mass (*GIRM*, #41). The homilist needs to be sensitive to the needs of the gathered assembly and of those who will be viewing the telecast.

Music

Music is very important in televising liturgical celebrations. The televised Mass, especially on Sunday, should normally include the sung acclamations; i.e., Alleluia, Holy, Holy, Memorial Acclamation, Great Amen. Ideally, the responsorial psalm should also be sung. Other appropriate songs may be sung as time permits. Additional musical selections should correspond to their placement in the liturgy and not simply be used as occasions for performance. The use of pre-recorded music, even to accompany the congregation's singing, is not appropriate for the liturgy (*Music in Catholic Worship*, #54 and *Liturgical Music Today*, #60).

Liturgical Environment

When using a setting other than a church or chapel, every effort should be made to create an environment which is fitting and conducive to the celebration of the liturgy (*GIRM*, #253). Provision should be made for proper vesture, worthy vessels, appropriate liturgical furniture, suitable musical instruments, and an arrangement of the liturgical space that encourages a reverent posture and attitude

of the participants.

Conclusion

The purpose of these guidelines is to assist the bishops in their role of overseeing both the celebration and the telecast of the church's liturgy. In addition, the principles will be helpful for those most directly involved with the preparation and televising of the Mass. As noted earlier, the telecast of the Sunday Mass offers a unique challenge to liturgists and communication personnel. Limited access to air time, the constraints of time and personnel, and the resources needed for a telecast that is liturgically and technically effective create special difficulties for those who provide this pastoral service. We are grateful to liturgists and communication experts who collaboratively utilize their skills to make effective use of the medium of television to help people connect with the Church's worship.

Much more could be said and greater specificity could be given in these guidelines. The guidelines are intentionally limited, however, to allow as much latitude as possible for the local bishop in overseeing the telecasting of the liturgy. These guidelines are provided for bishops to use as the basis for their important work of overseeing the celebration of the liturgy in their dioceses.

EXHIBIT 5



DIocese OF GAYLORD

611 WEST NORTH STREET
GAYLORD, MI 49735-8349
(989) 732-5147
FAX: (989) 705-3589

January 16, 2012

Ms. Marlene H. Dortch
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: CGB-CC-0270
Diocese of Gaylord Petition for Exemption from Closed Captioning Rules

Dear Ms. Dortch:

As Bishop of the Diocese of Gaylord, the portion of the Roman Catholic Church that covers the northern 21 counties of the lower peninsula, I hasten to add my personal voice to the request that the Federal Communications Commission extend an exemption to the Diocese of Gaylord for the weekly early morning Sunday broadcast of the Eucharistic Liturgy taped at St. Mary Cathedral the prior evening.

The weekly televised Mass is an important part of our pastoral outreach to the sick and homebound, made all the more important by virtue of the distances that many of our Faithful would have to travel to attend Mass, a reality made all the more difficult by virtue of the difficult weather that challenges our region each winter. (The National Weather Service reports that Gaylord itself receives an average of 150 inches of snow each year.)

The liturgy of the Roman Catholic Church is governed by specific guidelines including the *General Instruction of the Roman Missal* along with several other church documents. The liturgical year is designated with specific readings and focus for each week. With few exceptions for special local feast days, every Roman Catholic Church throughout the world celebrates Masses on a given weekend using the same readings and focus for the liturgy. Being part of the Universal Church is important to our faith tradition and being respectful of the universal Church calendar is important both for those celebrating the Mass and those viewing the Mass.

The liturgical guidelines for televised Masses indicate that wherever possible, the Mass should be televised live as it occurs in a regular worship setting. However, recognizing that in many areas this is not possible due to a variety of logistical challenges, we do allow for Masses to be pre-recorded with certain caveats.

Letter to Ms. Marlene H. Dortch
January 16, 2012
Page 2

Like my predecessors, as Bishop of Gaylord I feel very strongly that the Mass which is televised should take place in a parish with a fully participating assembly and should include the readings, prayers and music of the specific weekend. In this manner, those who are ill or homebound may be truly connected to the church as well as to their brothers and sisters as one worshipping community. The Saturday evening liturgy is the vigil Mass for the weekend and generally carries the same readings and prayers as Sunday. It is for this reason I have approved the Saturday Mass at St. Mary Cathedral to be taped for Sunday broadcast.

I have come to realize that many, many people in our rural diocese depend on our televised Mass, most especially the ill and homebound. It is important to understand that we do not seek an exemption from the closed captioning rules with the intent to deny access to our brothers and sisters who are deaf or hard of hearing. Rather, we seek the exemption in an effort to continue an important and vital ministry to a large group of individuals who are suffering with age, infirmity, illness and other disabilities which limit their ability to go to their local parish church. In fact, the winter weather conditions in our area can often prevent even those who otherwise are physically able from attending church.

The economic climate in our diocese remains perilous. The State of Michigan continues to lag behind the rest of the United States in the overall recovery. This continues to have an impact on the funds available to the diocese. If we were to be forced to provide closed captioning, we would undoubtedly have to discontinue the broadcast of the televised Mass at this point in time, to the detriment of many and the benefit of none.

Our ultimate mission is to proclaim the message of the Gospel to all people. We are committed to trying to find a way to make our Masses and our Churches accessible to everyone. While at this time closed captioning is not possible in our situation, we will continue to seek solutions with the hope that in the future technology will advance so that we may do so.

I thank you in advance for your willingness to consider an exemption from the closed captioning rules related to our televised Mass.

Respectfully yours,

A handwritten signature in black ink that reads "Bernard A. Hebda". The signature is written in a cursive style with a cross at the beginning.

Most Reverend Bernard A. Hebda
Bishop of Gaylord

EXHIBIT 6

St. Mary Cathedral Parish Our Lady of Mount Carmel

606 North Ohio Avenue
Gaylord, MI 49735

January 16, 2012

Marlene H. Dortsch, Secretary
Federal Communication Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: CGB-CC-0270
Diocese of Gaylord Petition of Exemption from Closed Captioning Rules

Dear Ms. Dortsch,

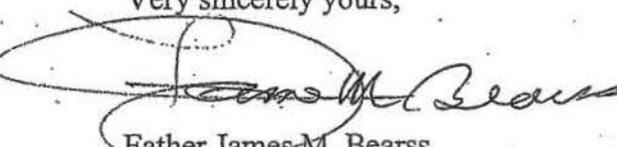
My name is Father James M. Bearss and I am the pastor of St. Mary Cathedral in Gaylord Michigan. I am also one of two that preside at the Mass that is televised throughout the Diocese every Sunday morning.

The Diocese of Gaylord has been videotaping the Saturday evening Mass now for almost a decade. Editing takes place immediately after Mass and then is sent to the television station for broadcast the following day. The televised Mass has had a large impact upon our viewing audience; many of whom are homebound, hospitalized, unable to attend because of work schedules or the curious. The Mass has been beneficial for many in the Diocese of Gaylord and this is made factually clear through their numerous letters to the Cathedral.

The Mass that is videotaped is a live and not a "canned" Mass done from some "studio parish," but actually takes place at the Cathedral itself. Those who are viewing the Mass can actually experience a sense of belonging to a faith community as they tune in each Sunday morning. I have never written out my homilies since my days in seminary when they were reviewed by my professor for a grade. Since being ordained some fifteen years ago my homilies have always been mentally mapped out in my head to offer an authentic message and my passion to the viewers.

The televised Mass from the St. Mary Cathedral touches the lives of many individuals, both Catholic and non-Catholic. While at this time it is not feasible for us to close caption the Catholic Mass, we hope that you would extend an exemption so that it might see be produced and presented to those with listening ears and hearts. It is a ministry of outreach that I would very much hope would continue in the Diocese of Gaylord.

Very sincerely yours,



Father James M. Bearss
Pastor

EXHIBIT 7

To: cneff@dioceseofgaylord.org

From: [REDACTED]

Date: 05/12/2013 02:34PM

Subject: Father Chet Collins

Thank you to Father Chet Collins for his Homily. It was televised on May 12, 2013. The Mass was celebrated on May 11th. He spoke about a man named Larry and helium balloons and Jimmy Durante entertaining servicemen. It moved me to tears. I am so glad I have it recorded and plan to share it with others. I was sick and unable to go to Mass for several weeks. Now I am well enough to attend Mass again but continue to record the Mass from the cathedral. It is so wonderful to see it each week, particularly for shut-ins, but special for everyone. Thank you for providing the televised Mass. -Sincerely,
Joan [REDACTED]

Comments: Thank you for televising The Mass on Sundays.
Our family appreciates this
at times when we can not attend Mass in person d/t
sickness or weather.

1/2/2013



~~_____~~

Dear Father Bearss

I really enjoyed your
sermon Sunday 22nd
Especially when you
said you were giving

Childrens Bibles out and
encouraging Parents to
read to them. to the children
I used to help when I was
younger in Religion Education
and Yes Children understand
more I read the childrens
Bible all the time, I can
understand the meaning more
and Im 77 years old.

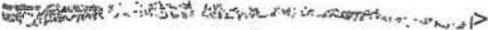
God Bless you Father



Sincerely Doree

~~_____~~

Candace Neff

From: 
Sent: Friday, January 13, 2012 12:48 PM
To: cneff@dioceseofgaylord.org
Subject: televised Mass

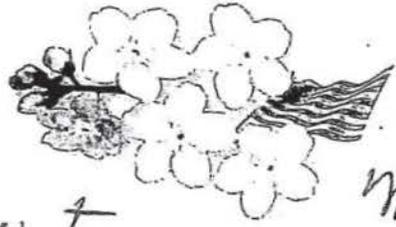
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Candace,

I am very thankful for the televised Mass, especially when there are conditions that prevent me from attending Mass. I wish that there was a daily Mass that was televised from the diocese. I know there are many shut ins or people who are unable to attend daily Mass who do not have cable or satellite. Thank you so very much for your service in our diocese.

Blessings in Christ,





Sunday

March 6th

Thank you to
all that make this Sunday Mass
possible for so many.

Fr Matthew had the Sermon this
week.

I really enjoyed seeing the Bishop
in February like he said we all
have to pray for everyone to come
back to Church.

God bless you all

At home

Bishop Hebda-

Enclosed please find check
in the amount of \$100 - to be
used to help with expenses for
Sunday morning mass on TV.

This is in memory of my mom,
Lottie Peron, who died earlier this
year. When she could not attend
mass, she watched it on TV. I know
there are many other homebound
Catholics that watch mass on TV.

[Handwritten signature]



Thank You for Your T.V Ministry

John Enjoys the Mass on Sundays
where he can understand it. John is 78

Sent: Tuesday, March 20, 2007 9:08 AM

To: 'Candace Neff'

Hi Candy!

We received a phone call from a gentleman today who wanted to let us know how much he appreciates that the mass at St. Mary is televised. He has trouble getting out and is far more comfortable at home. Thought you'd like to hear a "thanks" for all your hard work.

Suzy

7-21-2010

Diocess of Gaylord,

Thank you for your T.V ministry
I enjoy watching it on Sunday morning

Maple City, MI 48664
December 15, 2006.

Dear Father

On August 1 of this year I had surgery for the total rebuilding of my left knee, and, was homebound for about six weeks. Prior to this time, preparing to go to church, we had watched your program on TV before we left home.

During those six weeks, though, the Reserved Sacrament was brought to our home, we wanted the experience of being present at the celebration of the Holy Eucharist, as my wife and I watched the Mass from St. Mary's. We felt right at home now, having returned to

Church, on Sunday, we are hoping that part of the service that includes your sermons, because both of us are so impressed, that we listen to them after we return home each

Sunday. Your parishioners are indeed fortunate to have such a wonderful Priest.

Enclosed is a small check made out to "Catholic Services Appeal," to assist in the continuation of this Ministry

As soon as the condition of my knee will allow, hopefully soon, I intend to return to the Altar to resume celebrating the Holy Eucharist myself.

Sincerely,

Sunday. Your parishioners are indeed fortunate to have such a wonderful Priest.

Dear Father

On August 1 of this year I had surgery for the total rebuilding of my left knee, and, was homebound for about six weeks. Prior to this time, preparing to go to Church, we had watched your program on TV before we left home.

During that six weeks, though, the Reserved Sacrament was brought to our home, we wanted the experience of being present at the celebration of the Holy Eucharist, as my wife and I watched the Mass from St. Mary's. We felt right at home now, having returned to

Church, on Sunday, we are taping that part of the service that includes your sermons, because both of us are so impressed, that we listen to them after we return home each

Enclosed is a small check made out to "Catholic Services Appeal," to assist in the continuation of this Ministry

As soon as the condition of my knee will allow, (hopefully soon) I intend to return to the Altar to resume celebrating the Holy Eucharist myself.

Sincerely,

EXHIBIT 8

Candace Neff

From:
Sent: Thursday, January 12, 2012 3:18 PM
To: cneff@dioceseofgaylord.org
Subject: Captions;

Candace, Thanks for your inquiry. I appreciate the information. Unfortunately, in order for us (or any remote captioning company) to provide captions for your broadcast, either the production facility for the broadcast, or the station airing the broadcast must be able to; one, provide us with the live audio, and secondly; we must be able to deliver those captions back to an encoder (captioning facility). We know of no other way to deliver those captions for television/cable airing. We do stream captions to websites, but again we would still need to be able to obtain the live audio. Sorry...best

Sales & Marketing

the leader in realtime closed captioning to the television industry.....

Candace Neff

From: [redacted]
Sent: Thursday, January 12, 2012 1:04 PM
To: Candace Neff
Subject: Re: FW: Closed Captioning Needs

Follow Up Flag: Follow up
Flag Status: Flagged

Hi, we have been providing captioning services for over a dozen years and fully understand the CCing process.

With the constraints mentioned below – CCing can not be done.

Even having a CCing system on-site wouldn't meet your time constraints.

If you could change the schedule, seems you can't, we'd be interested in providing captions services for you.

October 22, 2013

Hi Candace,

Thank you for your inquiry regarding closed captions.

I have confirmed with our Captioning Department that, unfortunately, we would not be able to accommodate your requirements due to the very quick turnaround and the fact that you don't have access to phone lines or internet, as we would need an MPEG1 file in order to create the closed captioning for you.

The best way to go would be to find a local company in Michigan to create them for you. If we think of any one, we will forward their information on to you.

Again, thank you for reaching out to [REDACTED]

Good luck!

Juliet

October 21 2013

Hi, Candace.

Thank you for looking into [REDACTED] and we appreciate the effort you are making to find a captioning solutions. Closed captions are an important way to get your message out to a wider audience. The logistics of your situation are very challenging, to be sure, and our technical team has given your workflow some thought.

There are two types of captioning, realtime captioning for live programs and offline captioning for prerecorded programs. CaptionMax is a service provider who supplies realtime caption writers (they are professional stenographers) for live programming, and we produce offline captioning using editors in our Minneapolis and Burbank offices.

If your TV station does not support **realtime** captioning, that cuts out the most common solution to quick-turnaround television shows. The only ways around that would be to air your program on a different station that has more up-to-date equipment, or if you are a particularly good customer of the affiliate, you could perhaps persuade them to invest in the technology and know-how to support live captions. You aren't likely to be the only TV series that would need this service, and perhaps together you and other video producers could pressure the station to update.

Standard **offline** captioning isn't an option either, because we wouldn't be able to transcribe and caption an hour-long program in 1-1.5 hours even if we had offline staff available on Saturday evenings. Bringing in enough staff to make that feasible would definitely be cost-prohibitive.

There is a hybrid of live and offline captioning that is called **live-to-tape encoding**. When a video can be received in advance for transcription but there isn't enough time in the workflow for the step of embedding the caption data into the master tape or file, we can create the captions ahead of time and then send the data over modem or IP to be encoded live. Since this requires an encoder as well as phone/internet lines, it doesn't sound like it would work for you.

So I'm afraid [REDACTED] won't be able to help you make this happen. My best suggestion would be to look for a local person who can caption your program live **on-site**. The National Court Reporters Association has a [directory](#) organized by state, or maybe there's a college nearby with a stenography program who could supply you with interns.

If your priest speaks into a microphone during mass, you could perhaps try to have him train [REDACTED] to recognize his voice and then route the audio through that **voice recognition** program and into an encoder. It won't be as accurate as steno captions, but it would be something.

In order to merge any of these live captions with your beta tape, you will need to purchase or rent a **caption encoder** for your own control room since your TV station doesn't have one. We use [EEG](#), but there are other companies out there too. It's possible that there is a software-based way to incorporate captions into your editing program, but we aren't familiar with Avid Xpress Pro, which has been discontinued.

Good luck. I wish I had better news, but without a schedule adjustment or an investment in either hardware & software or in telephone & internet infrastructure, I can't see a way that we could get our captions over to you.

Thanks.
Emily

October 22, 2013

Candace,

Thank you for your interest in our services. We are very interested in helping other Believers accomplish their goals in ministry and much of what we do as a business is for the ministry. At the same time, what you are asking us to do is a very time consuming process. The timeline you are providing leaves us less than 12 hours from 8 PM Saturday evening when the program is edited for the entire process and this depends 100% on the data transfer going smoothly in both directions. In order for this process to be functional, we would need to receive the upload of the hour program in its finished form. We will then need to have a staff member available to download that file and complete the transcription and captioning all while leaving enough time to then have it uploaded so that the station receives the file before 8 AM the next morning.

This is not impossible by any means. However, it is a very taxing process that demands a lot of any company who would accept the challenge. Our normal rate for roll on captions during an hour program with a 10 day turn around is \$350. We would could not do your job at this rate due to the extremely short window we are being provided. However I do see two different options that you can consider. Each has its own set of challenges and the costs reflect this.

Option 1: \$500.00 per week paid in advance. **(500.00 x 52 weeks = \$26,000 annually)**

We will need to receive the programs edited audio file no later than 9 pm CST in a [REDACTED] account. At this time we will download, transcribe and caption the English language portions of the program based on this audio file. By 6 am CST the following morning we will have completed the work and have uploaded to a [REDACTED] account the completed SD line 21 caption file in a format that can be imported into your edit system. It will then be your responsibility to output the edited program with the captions included and provide this to your broadcast stations. No additional equipment will be required by you but there will be a process that needs to be learned so the files we send to you can be incorporated into your edit system. This allows for your courier to deliver the tape in time for broadcast. This will require a series of test to be run in advance of the contract start date.

(Note: There would in fact be additional equipment required. In addition the time factor and the fact that we do not have access to internet from the Cathedral, lack of personnel and equipment make this option virtually impossible.)

Option 2: \$750.00 per week paid in advance. **(750 x 52 weeks = \$38,900 annually)**

We will need to receive the programs edited SD mpeg 2 file no later than 10 pm CST in a [REDACTED] account. At this time we will download, transcribe and caption the English language portions of the program based on this file. By 6 am CST the following morning we will have completed the work and have uploaded to a [REDACTED] account the complete SD broadcast program containing captions. It will then be the responsibility of your broadcast stations to download the file for broadcast. This will require a series of tests to be run in advance of the contract start date.

(Note: The time factor and the fact that we do not have access to internet from the Cathedral, lack of equipment and personnel also make this option virtually impossible.)

If this is something that you are interested in, we would need some advance notice so that we could make staffing arrangements on our end. We would also need to open lines of communication with the stations or your staff so that we

can work together to figure out the best plan for file delivery. This is also the the time I would like to send test files to make sure that the finished file sizes, codecs, and delivery method is stable and accurate.

If you were interested in these arrangements, we could begin within a couple weeks.

I recognize that this may not be the answer you were looking for. I'd love to help out if at all possible. However, given the time constraints of what is needed, I don't think I could do much better than what I am quoting above.

Hopefully this helps.

Caleb

October 21, 2013

Thanks, Candace! I think you have some options, but each will require some research on your part. For some reason I thought you were saying that the Mass is broadcast by five stations – if it's just one, that makes it easier.

1. **Live Captioning via the Fox Affiliate:**

I notice in your initial request for exemption you indicated that WFQX does not have the personnel or equipment for live captioning. Assuming that is the case, please note that a program can be captioned without having to work with someone at the station. We work with many stations who do not coordinate testing in advance of air. We simply call up and start captioning. It's always best to have a contact there to tell us if they are seeing the captions, but it is not mandatory. Regarding equipment:

- a. If the station has an encoder: Our captioners listen to the Mass, caption what they hear and send their caption data to the encoder at the station. The output of the encoder is captioned video. The cost is \$125 per hour captioned, with a commitment to caption at least 26 weeks per year.
- b. If the station does not have an encoder: You can rent an encoder from most encoder companies (approx \$400 per month) or buy an encoder (\$3,000 for an SD encoder, more for HD) and install it at the station. Captions will cost an additional \$125 per hour.

2. **Live to file captioning:**

Please check with WFQX to see if they will accept a captioned MPG2 file. If so, we can caption the following procedure and you can avoid the hassle of a courier:

1. Once the show is complete, save it as an MPG2 file in the format specified by the station (note: your Avid edit software will probably export this format).
2. Upload that file to [REDACTED] FTP site. A 30-minute SD MPG2 file should be under 1 gig and take less than an hour to upload. Once we receive the file, we'll have a realtime captioner live caption it – creating a caption file on the fly. We'll then lay that caption file into the MPG2 file and upload it to the station. As long as we receive the final video by 8:00 pm, the station will have the file by midnight.
3. This process is more time consuming and requires more people and coordination. Each 1-hour show will cost \$200.

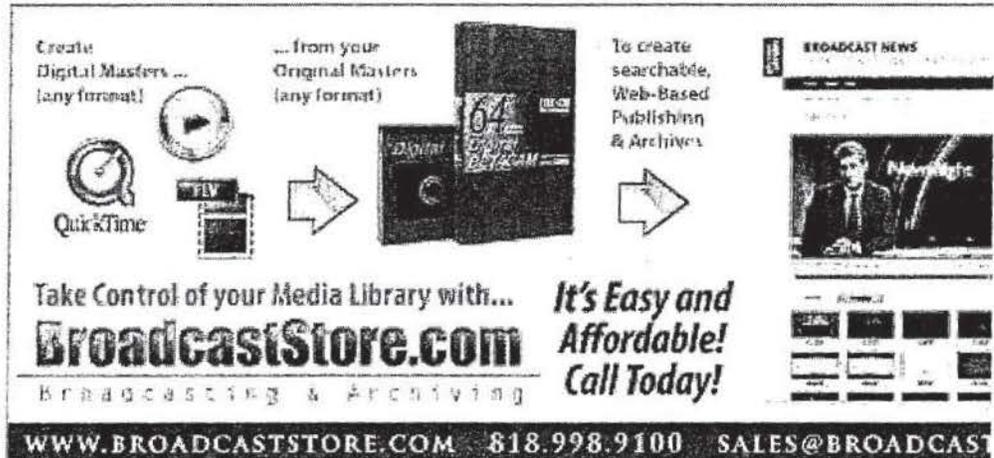
Those are your two best bets, given your answers below. If I can help you resolve any of these, please let me know.

Heather

*** (Note: We are continuing discussions with this company in hopes we can ultimately find a workable solution. Since there is no Internet at the Cathedral, we are unable to utilize Option 2. We believe Option 1 does hold some promise and is something we intend to continue to explore with the station. However, the additional costs are something we have not budgeted for in this fiscal year. (One year captioning alone $125 \times 52 \text{ weeks} = 6500$. Even though our research to date has shown it would be substantially more, even if we accept an additional cost of \$400 per month for equipment, it mean an additional \$4,800 for equipment rental for a subtotal of \$11,300. This does not include other costs which may be incurred for phone service, personnel, etc.) Due to our specific current circumstances and budgeting process, we certainly could not implement for a minimum of 18 months – and that presumes we are allowed to implement such an expenditure while in a sede vacante state.)**

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 B&H# LIHDE3000 • Mfr# HDE-3000

Price: \$7,029.95

Availability: Usually ships in 7-10 business days

Note! This item is usually
 Drop Shipped from the
 MFR/Distributor within 7-
 10 business days (subject
 to availability). Your order
 will be charged at the time
 of placing the order with
 the vendor. Item is non-
 cancelable and non-
 returnable.

This Item Includes

- Power Cord
- 10 Year Warranty

Product Information

The **Link Electronics HDE-3000** is a high definition SDI encoder for closed caption information. The unit will generate slates, bugs, TV Ratings Icons, Subtitling while encoding closed caption data. All the while accomplishing requirements for 1080i, 1080p and 720p, and SDI. The HDE-3000 encodes data into the vertical Ancillary portion of SMPTE 292M HD/SDI video per SMPTE 334. It also keys text and graphics images into the active portion of SMPTE 292M video.



EXHIBIT 9



WFQX - WFUP

P.O. Box 282
Cadillac, MI 49601
231-775-9813
Fax 231-775-1898

November 8, 2013

Candace Neff
Diocese of Gaylord
611 West North Street
Gaylord, MI 49735

Dear Ms. Neff:

As we have discussed, WFQX-TV is currently unable to assist in captioning your programming from the Diocese of Gaylord. The Saturday 5:00 p.m. Mass at St. Mary Cathedral in Gaylord, Michigan is taped and delivered to our station later that evening for broadcast of the Liturgy on Sunday morning at 8:00 a.m. WFQX-TV does not have sufficient captioning capability to add closed captioning in that time frame.

We will, however, continue working with you to look for ways to assist you in closed captioning alternatives, but presently there are none.

Very truly yours,

A handwritten signature in black ink, appearing to read "Peter Ludviksen". The signature is written in a cursive, flowing style.

Peter Ludviksen
Operations Manager

Roman Catholic Diocese of Gaylord

**FINANCIAL STATEMENTS
AND REPORT OF INDEPENDENT
CERTIFIED PUBLIC ACCOUNTANTS**

June 30, 2012 and 2011

Roman Catholic Diocese of Gaylord

SCHEDULE OF FINANCIAL POSITION BY FUND CLASSIFICATION

June 30, 2012

(With Comparative Totals for June 30, 2011)

	Expendable Funds				Nonexpendable Funds			Total	2011 Total	
	Operating	Reserve	Priests	Bishop's Donations	Trust and Agency	Olson	Endowment			Fixed Assets
ASSETS										
Cash and cash equivalents	\$ (84,077)	\$ 134,467	\$ 539,299	\$ 25,281	\$ 411,850	\$ 24,095	\$ -	\$ 77,303	\$ 1,128,218	\$ 784,
Investments in marketable securities	1,160,275	1,872,916	1,916,775	-	-	464,822	-	-	5,414,788	5,128,
Investment in Deposit and Loan Program	-	-	-	-	-	-	147,844	-	147,844	300,
Pledges receivable	2,205,648	-	-	-	-	-	-	-	2,205,648	2,022,
Other current assets	58,489	400,270	69,550	-	1,039	-	-	91,776	621,124	991,
Total current assets	3,340,335	2,407,653	2,525,624	25,281	412,889	488,917	147,844	169,079	9,517,622	9,227,
Interest in Northern Michigan Catholic Foundation	-	-	-	-	-	-	4,967,702	-	4,967,702	4,952,
Land, buildings and equipment, net of accumulated depreciation	-	-	-	-	-	-	-	3,124,630	3,124,630	3,288,
Total assets	\$ 3,340,335	\$ 2,407,653	\$ 2,525,624	\$ 25,281	\$ 412,889	\$ 488,917	\$ 5,115,546	\$ 3,293,709	\$ 17,609,954	\$ 17,468,
LIABILITIES AND NET ASSETS										
LIABILITIES										
Accounts payable and other liabilities	\$ 262,421	\$ 67,190	\$ 4,410	\$ -	\$ 10,054	\$ -	\$ -	\$ -	\$ 344,075	\$ 269
Due to Parishes and other Diocesan organizations	-	-	-	-	393,497	-	-	-	393,497	132
Total current liabilities	262,421	67,190	4,410	-	403,551	-	-	-	737,572	402
Deferred Priest compensation and education liability	-	-	-	-	9,338	-	-	-	9,338	11
Total liabilities	262,421	67,190	4,410	-	412,889	-	-	-	746,910	413
NET ASSETS										
Unrestricted										
Designated										
Future operating costs	-	-	2,521,214	-	-	-	147,844	-	2,669,058	2,924
Capital purchases	-	-	-	-	-	-	-	3,293,709	3,293,709	3,457
Bishop's donations	-	-	-	25,281	-	-	-	-	25,281	25
Olson Fund	-	-	-	-	-	56,121	-	-	56,121	64
Diocesan reserve	-	2,340,463	-	-	-	-	-	-	2,340,463	1,964
Undesignated	(517,825)	-	-	-	-	-	-	-	(517,825)	(398)
Temporarily restricted										
For specified use										
Native American Program	23,604	-	-	-	-	-	-	-	23,604	23
Northern Michigan Catholic Foundation Grants	-	-	-	-	-	-	130,918	-	130,918	130
For use in future years	3,189,321	-	-	-	-	-	-	-	3,189,321	3,116
Permanently restricted										
Perpetual care of cemetery	382,814	-	-	-	-	-	-	-	382,814	382
Olson Fund	-	-	-	-	-	432,796	-	-	432,796	455
Endowments at Northern Michigan Catholic Foundation	-	-	-	-	-	-	4,836,784	-	4,836,784	4,82
Total net assets	3,077,914	2,340,463	2,521,214	25,281	-	488,917	5,115,546	3,293,709	16,863,044	17,05
Total liabilities and net assets	\$ 3,340,335	\$ 2,407,653	\$ 2,525,624	\$ 25,281	\$ 412,889	\$ 488,917	\$ 5,115,546	\$ 3,293,709	\$ 17,609,954	\$ 17,468

Roman Catholic Diocese of Gaylord

STATEMENTS OF ACTIVITIES

Years ended June 30,

	2012				2011			
	Unrestricted	Temporarily Restricted	Permanently Restricted	Total	Unrestricted	Temporarily Restricted	Permanently Restricted	Total
SUPPORT AND REVENUE								
CSA campaign	\$ 2,787	\$ 3,189,321	\$ -	\$ 3,192,108	\$ -	\$ 3,116,618	\$ -	\$ 3,116,618
Contributions	45,575	-	-	45,575	63,117	-	-	63,117
Investment income	162,745	-	-	162,745	135,985	-	-	135,985
Net (loss) gain on investment	(214,347)	-	(26,939)	(241,286)	553,248	-	65,767	619,015
Program and other revenue	1,426,638	-	-	1,426,638	907,579	83,000	-	990,579
Change in interest in Northern Michigan Catholic Foundation	-	130,918	-	130,918	-	130,346	-	130,346
Assets released from restrictions	3,329,964	(3,329,964)	-	-	3,153,965	(3,153,965)	-	-
Total support and revenue	4,753,362	(9,725)	(26,939)	4,716,698	4,813,894	175,999	65,767	5,055,660
EXPENSES								
Office of the Bishop	184,292	-	-	184,292	174,056	-	-	174,056
Administrative services	833,220	-	-	833,220	879,468	-	-	879,468
Communications	237,407	-	-	237,407	257,607	-	-	257,607
Peace and Justice	87,589	-	-	87,589	77,901	-	-	77,901
Faith Formation	617,031	-	-	617,031	488,149	-	-	488,149
Building and grounds	237,663	-	-	237,663	251,155	-	-	251,155
Worship/Liturgy	147,033	-	-	147,033	116,528	-	-	116,528
Support of clergy	276,756	-	-	276,756	301,971	-	-	301,971
Vocations	526,419	-	-	526,419	431,188	-	-	431,188
Tribunal	76,175	-	-	76,175	75,594	-	-	75,594
Local grants	417,353	-	-	417,353	415,518	-	-	415,518
Hispanic Ministry	112,937	-	-	112,937	71,287	-	-	71,287
National donations	234,498	-	-	234,498	200,176	-	-	200,176
Depreciation	201,622	-	-	201,622	195,972	-	-	195,972
Investment management expense	18,641	-	-	18,641	17,877	-	-	17,877
Oakwood Diocesan Cemetery	167,006	-	-	167,006	149,815	-	-	149,815
Other	532,969	-	-	532,969	153,654	-	-	153,654
Total expenses	4,908,611	-	-	4,908,611	4,257,916	-	-	4,257,916
CHANGES IN NET ASSETS	(155,249)	(9,725)	(26,939)	(191,913)	555,978	175,999	65,767	797,744
NET ASSETS, beginning of year	8,036,790	3,353,568	5,664,599	17,054,957	7,489,336	3,177,569	5,590,308	16,257,213
Transfer to Northern Michigan Catholic Foundation	(14,734)	-	14,734	-	(8,524)	-	8,524	-
NET ASSETS, end of year	\$ 7,866,807	\$ 3,343,843	\$ 5,652,394	\$ 16,863,044	\$ 8,036,790	\$ 3,353,568	\$ 5,664,599	\$ 17,054,957

Roman Catholic Diocese of Gaylord

**FINANCIAL STATEMENTS
AND REPORT OF INDEPENDENT
CERTIFIED PUBLIC ACCOUNTANTS**

June 30, 2011 and 2010

Roman Catholic Diocese of Gaylord

STATEMENTS OF ACTIVITIES

Years ended June 30,

	2011				2010			
	Unrestricted	Temporarily Restricted	Permanently Restricted	Total	Unrestricted	Temporarily Restricted	Permanently Restricted	Total
SUPPORT AND REVENUE								
CSA campaign	\$ -	\$ 3,116,618	\$ -	\$ 3,116,618	\$ -	\$ 3,028,729	\$ -	\$ 3,028,729
Contributions	63,117	-	-	63,117	100,979	-	-	100,979
Investment income	135,985	-	-	135,985	142,503	-	-	142,503
Net gain on investment	553,248	-	65,767	619,015	331,565	-	43,909	375,474
Loss on sale of property	-	-	-	-	(19,991)	-	-	(19,991)
Program and other revenue	907,579	83,000	-	990,579	797,423	-	-	797,423
Change in interest in Northern Michigan Catholic Foundation	-	130,346	-	130,346	-	101,005	-	101,005
Assets released from restrictions	3,153,965	(3,153,965)	-	-	3,145,578	(3,145,578)	-	-
Total support and revenue	4,813,894	175,999	65,767	5,055,660	4,498,057	(15,844)	43,909	4,526,122
EXPENSES								
Office of the Bishop	174,056	-	-	174,056	168,477	-	-	168,477
Administrative services	879,468	-	-	879,468	883,333	-	-	883,333
Communications	257,607	-	-	257,607	248,182	-	-	248,182
Peace and Justice	77,901	-	-	77,901	64,917	-	-	64,917
Faith Formation	488,149	-	-	488,149	459,206	-	-	459,206
Building and grounds	251,155	-	-	251,155	228,084	-	-	228,084
Worship/Liturgy	116,528	-	-	116,528	111,119	-	-	111,119
Support of clergy	301,971	-	-	301,971	136,791	-	-	136,791
Vocations	431,188	-	-	431,188	309,057	-	-	309,057
Tribunal	75,594	-	-	75,594	87,019	-	-	87,019
Local grants	415,518	-	-	415,518	414,878	-	-	414,878
Hispanic Ministry	71,287	-	-	71,287	69,088	-	-	69,088
National donations	200,176	-	-	200,176	230,466	-	-	230,466
Depreciation	195,972	-	-	195,972	242,184	-	-	242,184
Investment management expense	17,877	-	-	17,877	23,044	-	-	23,044
Oakwood Diocesan Cemetery	149,815	-	-	149,815	150,789	-	-	150,789
Other	153,654	-	-	153,654	215,785	-	-	215,785
Total expenses	4,257,916	-	-	4,257,916	4,042,419	-	-	4,042,419
CHANGES IN NET ASSETS	555,978	175,999	65,767	797,744	455,638	(15,844)	43,909	483,703
NET ASSETS, beginning of year	7,489,336	3,177,569	5,590,308	16,257,213	8,047,984	3,193,413	4,532,113	15,773,510
Transfer to Northern Michigan Catholic Foundation	(8,524)	-	8,524	-	(1,014,286)	-	1,014,286	-
NET ASSETS, end of year	\$ 8,036,790	\$ 3,353,568	\$ 5,664,599	\$ 17,054,957	\$ 7,489,336	\$ 3,177,569	\$ 5,590,308	\$ 16,257,213

Roman Catholic Diocese of Gaylord

SCHEDULE OF FINANCIAL POSITION BY FUND CLASSIFICATION

June 30, 2011

(With Comparative Totals for June 30, 2010)

	Expendable Funds				Nonexpendable Funds				Total	2010 Total
	Operating	Reserve	Priests	Bishop's Donations	Trust and Agency	Olson	Endowment	Fixed Assets		
ASSETS										
Cash and cash equivalents	\$ (51,128)	\$ 82,386	\$ 532,034	\$ 25,248	\$ 142,155	\$ (13,883)	\$ -	\$ 67,482	\$ 784,294	\$ 1,051
Investments in marketable securities	1,308,070	1,566,688	1,712,090	-	4,006	537,865	-	-	5,128,719	4,021
Investment in Deposit and Loan Program	-	-	-	-	-	-	300,397	-	300,397	36
Pledges receivable	2,022,988	-	-	-	-	-	-	-	2,022,988	1,89
Other current assets	99,298	397,309	388,205	-	5,036	-	-	101,597	991,445	86
Total current assets	3,379,228	2,046,383	2,632,329	25,248	151,197	523,982	300,397	169,079	9,227,843	8,19
Interest in Northern Michigan Catholic Foundation	-	-	-	-	-	-	4,952,396	-	4,952,396	4,91
Land, buildings and equipment, net of accumulated depreciation	-	-	-	-	-	-	-	3,288,007	3,288,007	3,40
Total assets	\$ 3,379,228	\$ 2,046,383	\$ 2,632,329	\$ 25,248	\$ 151,197	\$ 523,982	\$ 5,252,793	\$ 3,457,086	\$ 17,468,246	\$ 16,51
LIABILITIES AND NET ASSETS										
LIABILITIES										
Accounts payable and other liabilities	\$ 171,372	\$ 82,277	\$ 8,443	\$ -	\$ 7,754	\$ -	\$ -	\$ -	\$ 269,846	\$ 12
Due to Parishes and other Diocesan organizations	-	-	-	-	132,278	-	-	-	132,278	11
Total current liabilities	171,372	82,277	8,443	-	140,032	-	-	-	402,124	24
Deferred Priest compensation and education liability	-	-	-	-	11,165	-	-	-	11,165	1
Total liabilities	171,372	82,277	8,443	-	151,197	-	-	-	413,289	25
NET ASSETS										
Unrestricted										
Designated										
Future operating costs	-	-	2,623,886	-	-	-	300,397	-	2,924,283	2,80
Capital purchases	-	-	-	-	-	-	-	3,457,086	3,457,086	3,57
Bishop's donations	-	-	-	25,248	-	-	-	-	25,248	-
Olson Fund	-	-	-	-	-	64,247	-	-	64,247	-
Diocesan reserve	-	1,964,106	-	-	-	-	-	-	1,964,106	1,52
Undesignated	(398,180)	-	-	-	-	-	-	-	(398,180)	(4)
Temporarily restricted										
For specified use										
Native American Program	23,604	-	-	-	-	-	-	-	23,604	-
Northern Michigan Catholic Foundation	-	-	-	-	-	-	130,346	-	130,346	10
Grants	83,000	-	-	-	-	-	-	-	83,000	-
For use in future years	3,116,618	-	-	-	-	-	-	-	3,116,618	3,02
Permanently restricted										
Perpetual care of cemetery	382,814	-	-	-	-	-	-	-	382,814	3
Olson Fund	-	-	-	-	-	459,735	-	-	459,735	3
Endowments at Northern Michigan Catholic Foundation	-	-	-	-	-	-	4,822,050	-	4,822,050	4,8
Total net assets	3,207,856	1,964,106	2,623,886	25,248	-	523,982	5,252,793	3,457,086	17,054,957	16,2
Total liabilities and net assets	\$ 3,379,228	\$ 2,046,383	\$ 2,632,329	\$ 25,248	\$ 151,197	\$ 523,982	\$ 5,252,793	\$ 3,457,086	\$ 17,468,246	\$ 16,5

Roman Catholic Diocese of Gaylord

STATEMENTS OF FINANCIAL POSITION

June 30,

	2011	2010
ASSETS		
Cash and cash equivalents	\$ 784,294	\$ 1,051,085
Investment in marketable securities	5,128,719	4,021,928
Deposits with Deposit and Loan Program	300,397	364,390
Receivable from Northern Michigan Catholic Foundation	317,530	172,987
Pledge receivables	2,022,988	1,894,312
Other current assets	673,915	687,856
Total current assets	9,227,843	8,192,558
Interest in Northern Michigan Catholic Foundation	4,952,396	4,914,530
Land, buildings and equipment, net of accumulated depreciation	3,288,007	3,404,823
Total assets	<u>\$17,468,246</u>	<u>\$16,511,911</u>
LIABILITIES AND NET ASSETS		
LIABILITIES		
Accounts payable and other liabilities	\$ 269,846	\$ 129,620
Due to Parishes and other Diocesan organizations	132,278	115,017
Total current liabilities	402,124	244,637
Deferred Priest compensation and education liability	11,165	10,061
Total liabilities	413,289	254,698
NET ASSETS		
Unrestricted		
Designated	8,434,970	7,986,847
Undesignated	(398,180)	(497,511)
Temporarily restricted		
Grants	83,000	-
Endowments	130,346	101,005
Native American programs	23,604	23,604
Use in future years	3,116,618	3,052,960
Permanently restricted		
Perpetual care of cemetery	382,814	382,814
Endowments	5,281,785	5,207,494
Total net assets	17,054,957	16,257,213
Total liabilities and net assets	<u>\$17,468,246</u>	<u>\$16,511,911</u>

The accompanying notes are an integral part of these financial statements.

Before the
Federal Communications Commission
Washington, D.C. 20554

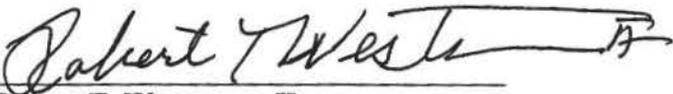
In the Matter of)
)
CLOSED CAPTIONING et al.)
)
New Beginning Ministries)
)
Petitions for Exemption from Closed Captioning)
Of the Diocese of Gaylord)
)
CGB-CC-0270)
CG Docket No. 06-181)

To: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

PROOF OF SERVICE

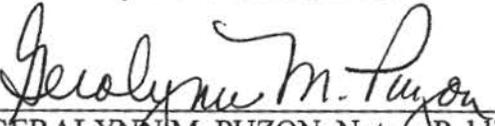
I, ROBERT T. WESTERMAN II, being duly sworn, deposes and says that on the 11th day of November, 2013, I caused to be served by United Parcel Service (overnight package), an original and two copies of the Diocese of Gaylord's ***RESPONSE TO FEDERAL COMMUNICATIONS COMMISSION REQUEST FOR SUPPLEMENTAL INFORMATION DATED SEPTEMBER 27, 2013*** and this ***PROOF OF SERVICE*** in regard to the above-captioned matter to:

Marlene H. Dortch
Office of the Secretary
Attention: Disability Rights Office, Room 3-B431
9300 East Hampton Drive
Capitol Heights, MD 20743


Robert T. Westerman II

STATE OF MICHIGAN)
) SS
COUNTY OF OTSEGO)

Subscribed and sworn to before me this 11th day of November, 2013.


GERALYNN M. PUZON, Notary Public
Otsego County, State of Michigan
My Commission Expires: 3/11/2019

