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

In the Matter of	)	
	)	
Closed Captioning of Video Programming	)	CG Docket No. 05-231
	)	
Telecommunications for the Deaf and Hard of Hearing, Inc. Petition for Rulemaking	)	
	)	
	)	

ERRATUM

Released: March 13, 2014

By the Acting Chief, Consumer and Governmental Affairs Bureau:

On February 24, 2014, the Commission released a *Report and Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking*, FCC 14-12, in the above-captioned proceeding. This Erratum amends the *Order* as follows:

1. Paragraphs 179, 180, and 181 are corrected to read as follows:

179. IT IS FURTHER ORDERED that the rules contained in 47 CFR 79.1(c)(3), (j), and (k) SHALL BE EFFECTIVE upon publication in the *Federal Register* of a notice announcing the approval by the Office of Management and Budget of the modified information collection requirements under the Paperwork Reduction Act of 1995[1] and an effective date of the rule amendment, and such effective date shall be no sooner than January 15, 2015.

180. IT IS FURTHER ORDERED that the rules contained in 47 CFR 79.1(e)(11)(i) and (ii) SHALL BE EFFECTIVE 90 days after publication in the Federal Register.

181. IT IS FURTHER ORDERED that the rules contained in 47 CFR 79.1(e)(11)(iii), (iv), and (v) SHALL BE EFFECTIVE upon publication in the *Federal Register* of a notice announcing the approval by the Office of Management and Budget of the modified information collection requirements under the Paperwork Reduction Act of 1995[2] and an effective date of the rule amendment.

2. Add paragraph 182 as follows:

182. IT IS FURTHER ORDERED that the Declaratory Ruling adopted herein shall be effective upon release.

3. Appendix B, paragraph 2 is corrected to read as follows:

2. Amend section 79.1 by revising the section heading and paragraphs (a), (d)(12), (e)(3), (f)(4) and (7), and (i)(3), by re-designating paragraph (c) as (c)(1), and by adding

[1] Pub. L. No. 104-13, 109 Stat. 163 (May 22, 1995), *codified at* 44 U.S.C. §§ 3501 *et seq*.

[2] *Id.*

paragraphs (c)(2), (c)(3), (e)(11), (j) and (k), to read as follows:

4. In Appendix B, section 79.1, paragraph (c)(2), in the first sentence, replace "all steps" with "any steps."

5. In Appendix B, section 79.1, paragraph (k)(1)(ii)(C) is corrected to read as follows:

(C) Captioning for prerecorded programming. The presumption is that pre-recorded programs, excluding programs that initially aired with real-time captions, will be captioned offline before air except when, in the exercise of a programmer's commercially reasonable judgment, circumstances require real-time or live display captioning. Examples of commercially reasonable exceptions may include instances when: (1) a programmer's production is completed too close to initial air time be captioned offline or may require editorial changes up to air time (*e.g.*, news content, reality shows), (2) a program is delivered late, (3) there are technical problems with the caption file, (4) last minute changes must be made to later network feeds (*e.g.*, when shown in a later time zone) due to unforeseen circumstances, (5) there are proprietary or confidentiality considerations, or (6) video programming networks or channels with a high proportion of live or topical time-sensitive programming, but also some pre-recorded programs, use real-time captioning for all content (including pre-recorded programs) to allow for immediate captioning of events or breaking news stories that interrupt scheduled programming. The video programmer will make reasonable efforts to employ live display captioning instead of real-time captioning for prerecorded programs if the complete program can be delivered to the caption service provider in sufficient time prior to airing.

6. In Appendix D, paragraph 21, in the first sentence, replace "indirectly affected" by "directly or indirectly affected."

7. In Appendix D, paragraph 22, in the first sentence, replace "indirectly affected" by "directly or indirectly affected."

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith
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