



Federal Communications Commission  
Washington, D.C. 20554

April 2, 2014

Victorious Living  
Attn: Karen Deskins  
3958 N. Academy Blvd., Ste. 115  
Colorado Spring, CO 80917

Re: Case Identifier: CGB-CC-1284  
CG Docket No. 06-181  
Petition for Closed Captioning Exemption  
Dismissal of Petition

Dear Ms. Deskins:

This letter concerns your Petition for Exemption from the Federal Communications Commission's (FCC's) closed captioning rules. The FCC's Consumer and Governmental Affairs Bureau (Bureau) advises you that, for the reasons stated below, your above-referenced petition for exemption from the FCC's closed captioning rules has been dismissed as incomplete and you must begin providing closed captions for the programming that is the subject of your Petition within ninety (90) days of the date of this letter. We had sent you a letter dated February 11, 2014, advising you of the below, but because it was returned to us as undeliverable, we are sending this letter with more information for your convenience.

Pursuant to Section 79.1(f)(11) of the FCC's rules,<sup>1</sup> the programming that is the subject of your Petition has been exempt from the Commission's closed captioning requirements since it was first filed, while your Petition was pending. After reviewing your Petition, the Bureau determined that it required additional and updated information to enable it to determine whether your programming should be exempted from the FCC's closed captioning requirements because captioning such programming would be economically burdensome to your organization. Accordingly, on September 28, 2013, the Bureau sent you a letter requesting additional and updated information regarding your Petition. The letter stated that, unless you submitted the required information and materials outlined in the Bureau's letter, by October 28, 2013, the Bureau would dismiss your petition.<sup>2</sup>

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<sup>1</sup> 47 C.F.R. § 79.1(f)(11).

<sup>2</sup> All the information and materials noted in the Bureau's letter is required in order for the Commission to consider a petition for exemption. *Anglers for Christ Ministries, Inc.*, Memorandum Opinion and Order, Order, and Notice of Proposed Rulemaking, FCC 11-159, 26 FCC Rcd 14941, 14955-6, ¶ 28 (2011).

As cautioned in the Bureau's letter, your Petition is dismissed without prejudice because you submitted some but not all of the information required by the Bureau's September 28, 2013 letter. Specifically, you did not submit:

- The nature and cost of the closed captions for the programming. Information about your organization's costs associated with closed captioning each specific program for which you are requesting an exemption, and your efforts to find companies that can provide captioning at a reasonable cost.
  - Documentation for two or more **recent** quotes you received from closed captioning services to provide closed captioning **specifically** for each program. "Recent" means a quote you obtained within one year of the date of this letter. *You provided generic information about the cost of closed captioning by captioning services, but that information was undated and not specific to your program.*

Accordingly, your Petition is dismissed without prejudice as of the date of this letter.

As noted above, beginning with the date that your Petition was received by the Commission, the programming that is the subject of your Petition has been exempt from the FCC's closed captioning requirements. However, we remind you that, with this dismissal, you must begin providing closed captioning for the programming that was the subject of your petition within ninety (90) days of the date of this letter. Specifically, you must begin providing closed captioning by **July 1, 2014**.

Because your Petition is dismissed without prejudice, you may file a new petition for exemption from the FCC's captioning requirements. If you file a new petition, the programming that is the subject matter of the new petition will again be exempt from the FCC's closed captioning requirements while the new petition is pending. The Bureau will assign a new case identifier number to any new petition that you file. For more information on filing a new petition, please visit this link: <http://www.fcc.gov/encyclopedia/economically-burdensome-exemption-closed-captioning-requirements>. **Please note that your new petition must provide the FCC with up-to-date and complete information and must contain all of the information, materials, or documents necessary to support your request.** Your new petition may not incorporate by reference any information, materials, or documents that you have previously submitted to the FCC.

If you have additional questions pertaining to this letter or to the filing of an exemption request, please contact the FCC's Disability Rights Office at [captioningexemption@fcc.gov](mailto:captioningexemption@fcc.gov).



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Consumer and Governmental Affairs Bureau