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February 22, 2021

Ms. Shavonne Morris
Federal Communications Commission
Disability Rights Office
45 L Street NE
Washington, D.C. 20554

**Re: Notice of Informal Complaint – Olivia Horovitz
Ticket No. 4497619**

Dear Ms. Morris:

On behalf of WJAR in Providence, Rhode Island, Facility ID 50780 (the "Station"), this letter responds to the above-referenced Notice of Informal Complaint (the "Notice"), issued on January 22, 2021, relating to the quality of closed captioning that aired in the Station's 12:00 p.m. newscast on January 19, 2021. The Station reserves the right to supplement this response with additional information as needed.

Following receipt of the Notice, I contacted the Station's chief engineer and news director to investigate the complaint. I obtained and reviewed the broadcast video of the January 19, 2021 newscast, and found that a small percentage of words were incorrect (typically mistaken for similarly sounding words), and speaker change chevrons and punctuation were occasionally misused. I was informed that the Station was testing an artificial speech recognition ("ASR") closed captioning system at that time. The Station resumed its previous captioning services on January 22, 2021, enabling the Station to continue monitoring the ASR system in shadow mode and make additional improvements.

Despite the errors acknowledged above, we believe that the closed captioning during the January 19, 2021 newscast was generally clear and understandable, particularly given the live nature of the programming at issue. As the Commission has recognized with respect to standards for captioning accuracy, there are "greater hurdles involved with captioning live programming, given the simultaneous production of captions as the programming is aired, and the lack of time for the review and correction of captions...that quality standards must take into consideration that human errors can occur with real time captioning and that perfection of such captions cannot be guaranteed."¹ Further, the Commission has explained that, "whatever method is used to provide real-time captioning, [it] will address complaints by considering, on a case-by-case basis, the overall

¹ *Closed Captioning of Video Programming*, Report and Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking, 29 FCC Rcd 2221 ¶ 40 (2014).

accuracy or understandability of the programming, the ability of the captions to convey the aural content of the program in a manner equivalent to the aural track, the extent to which the captioning errors prevented viewers from having access to the programming.”²

The Station therefore respectfully requests that the informal complaint be dismissed. Consistent with the foregoing and the Commission’s captioning quality standards, we believe that the Station’s real-time closed captioning of the 12:00 p.m. newscast at issue was overall accurate, understandable and conveyed the aural content of the program. The Station strives to provide the best possible captioning to serve its deaf and hard of hearing viewers, and will continue to monitor for and work toward minimizing and mitigating closed captioning errors going forward.

Please contact me if you have any questions or need any further information.

Sincerely yours,

A handwritten signature in blue ink that reads "Susan E. Domozych". The signature is fluid and cursive, with the first name being the most prominent.

Susan E. Domozych
Senior Manager/Senior Paralegal

cc: WJAR
Olivia Horowitz

² *Id.* ¶ 42.