

Lindsey Ring

From: Joshua Pila
Sent: Friday, September 6, 2019 8:06 AM
To: FCC
Cc: RegAffairs
Subject: RE: closed caption WEATHER ALERTS KMOV 4 St. Louis, MO

Ms. Morris,

The FCC's email server rejected the attachments (see below).

I've tried to make the clips available by dropbox, below:

<https://www.dropbox.com/sh/g4tl1b0a2rwhwu8/AADBoki4Zcv-DatDiYQ1cY03a?dl=0>

This is a delivery failure notification message indicating that an email you addressed to email address :
-- consumercomplaints@fcc.gov

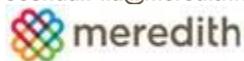
could not be delivered. The problem appears to be :
-- Recipient email server rejected the message

Additional information follows :
-- 5.7.0 Message Size Violation

This condition occurred after 1 attempt(s) to deliver over a period of 0 hour(s).

If you sent the email to multiple recipients, you will receive one of these messages for each one which failed delivery, otherwise they have been sent.

Joshua N. Pila, Esq.
General Counsel | [Local Media Group](#)
[Meredith Corporation](#) | 425 14th Street NW, Atlanta, GA 30318
T: 404-327-3286
Joshua.Pila@meredith.com



From: Joshua Pila
Sent: Friday, September 6, 2019 8:53 AM
To: 'FCC' <consumercomplaints@fcc.gov>
Cc: RegAffairs <RegAffairs@meredith.com>
Subject: RE: closed caption WEATHER ALERTS KMOV 4 St. Louis, MO

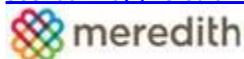
Ms. Morris:

With apologies for the delay due to the holiday week, please find attached, as requested, two clips for your review. These clips ran the morning referenced in the complaint and are examples of the station's live, unscripted interstitial local news segments that regularly run during the station's morning national network programming feed during pre-established breaks. The segments provide local viewers with an overview of current local traffic and weather conditions.

As the clips illustrate, during these daily traffic and weather segments, the station provides viewers with information in the form of maps, charts and crawls in addition to the verbal information provided by the station's weather and traffic announcers. On August 26, the day referenced in the consumer complaint, there were flash flood warnings in the station's local viewing area. To ensure that its viewers were aware of the flash flood warnings, the station continuously ran its Flood Warning banner/crawl naming the warned counties during morning programming, including during the two attached clips. The station also provided information about road problems in a crawl in the segment that ran at 7:55 am; this segment also ran an on-screen notice that a particular road was closed and that one local school district had cancelled classes. Accordingly, while the station did not caption these live, unscripted interstitial segments, all information that could be considered emergency information was provided visually in crawls, maps and charts in compliance with 47 C.F.R. Section 79.2.

Please let me know you if you would like additional information.

Joshua N. Pila, Esq.
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From: FCC <consumercomplaints@fcc.gov>
Sent: Friday, August 30, 2019 8:11 AM
Cc: Joshua Pila <Joshua.Pila@meredith.com>; Joe Snelson <joe.snelson@meredith.com>
Subject: closed caption WEATHER ALERTS KMOV 4 St. Louis, MO

##- Please type your reply above this line -##

You are registered as a CC on this support request (3490254). Reply to this email to add a comment to the request.

Shavonne Morris (FCC Complaints)

Aug 30, 8:10 AM EDT

Private note

Good morning,

Please provide the clip for our review and assessment.

-DRO-

Joshua Pila (FCC Complaints)

Aug 29, 7:41 PM EDT

Private note

To Whom it May Concern,

The complaint appears to refer to two live, unscripted interstitial segments of about two minutes in length that appeared at the end of regularly scheduled programming. The segments focused on the morning commute traffic and future weather forecasts and are not required to be captioned under 47 C.F.R Section 79.1(d)(6). Portions of the live, ad-libbed interstitials did discuss the potential for severe weather. During these discussions the station provided the critical details and how to respond using crawls, maps, graphics, and other methods of visual presentation.

Very truly yours,

Joshua N. Pila
General Counsel
Local Media Group
Meredith Corporation

Sent from my iPad

Shavonne Morris (FCC Complaints)

Aug 28, 10:56 AM EDT

Private note

OFFICIAL NOTICE OF INFORMAL COMPLAINT

The Federal Communications Commission (FCC or Commission) is serving your company with this informal complaint that Patricia Fuler filed with the Disability Rights Office (DRO). The informal complaint concerns obligations to provide televised emergency information in an accessible manner. We are inquiring into this matter pursuant to sections 713 and 4(i) of the Communications Act of 1934, as amended (the Act), 47 U.S.C. §§ 613, 154(i), and section 79.2 of the Commission's rules, 47 CFR § 79.2.

This Notice of Informal Complaint (Notice or NOIC) directs your company, as the broadcaster or multichannel video programming distributor (MPVD), to respond fully and directly to each and every material allegation raised in the informal complaint. In your response, please provide an explanation of why you believe you are in compliance with controlling law. If your company asserts that the audible emergency information was made accessible through closed captioning, and the complaint concerns the quality of the closed captioning, please include in your response how the closed captions at issue were produced. Closed captions – no matter how they are produced, for example, by the use of the electronic newsroom technique (ENT), where permitted, by a captioning service, or by using automated speech

recognition technology – are subject to the FCC’s closed captioning quality standards related to accuracy, synchronicity, completeness, and placement. 47 CFR § 79.1(j). If you need to take steps to satisfy the informal complaint and come into compliance, please summarize your proposed actions and the timeframe for completion.

Your response is due no later than thirty (30) days from the date of this Notice.

Please include with your response a recording, such as a DVD or electronic file, of the time(s) and date(s) of the event(s) described in the complaint.

Please submit your response to the Commission by replying to this email or via the FCC Consumer Help Center. Recordings may be sent by U.S. postal mail to the Disability Rights Office, Federal Communications Commission, 445 12th Street SW, Washington, DC 20554. Be sure to verify the complainant’s name and the ticket number. In addition, please include the name of a company representative to whom all future correspondence about the complaint should be directed. You are further directed to send a copy of the response to the complainant in the preferred format requested by the consumer, at the same time the response is provided to the Commission. Finally, please retain all records that are or may be pertinent to the allegations raised in the complaint for one year after the date of this Notice, unless otherwise instructed. To prepare your response to this Notice, you should also check the ticket at <https://consumercomplaints.fcc.gov/access> where the complainant may have filed additional complaints or other supporting evidence against your company. These supplemental materials will be associated with the same ticket number.

Failure to respond to a Commission inquiry is considered a violation of a Commission order and can result in the imposition of fines by the Commission. Under section 503(b) of the Act, any person who is determined by the Commission to have willfully or repeatedly failed to comply with any of the provisions of the Act, or any rule or order issued by the Commission under the Act, shall be liable for a forfeiture penalty.

The Commission requests that your company provide a thorough response to the issues raised in this complaint, and that it use its best efforts to resolve this complaint in a timely manner. cursory responses will be rejected. The Commission intends to make consumer complaint data publicly available – in both aggregate and individual form yet consistent with the Commission’s privacy obligations. This data will include how your company has addressed consumer complaints.

If you have any questions regarding this Notice or the informal complaint, please contact DRO at DROcarriersupport@fcc.gov or by calling 202-418-2517. In your message, please include your name, your company’s name, the ticket number, and your specific questions.

Patti Fuller

Aug 26, 12:58 PM EDT

Patti Fuller was not signed in when this comment was submitted. [Learn more](#)

There was no captioning on breaking weather alerts this morning 7:00am–continuing. Our captions were fine during regular programming and other commercials, however breaking weather/flooding information is imperative and captioning is not appearing during weather emergency.

You are an agent. Add a comment by replying to this email or [view ticket in Zendesk Support](#).

Ticket # 3490254
Status Open
Requester Patti Fuller
CCs FCC Consumer Help Center, Joshua Pila, Joe Snelson, Lindsey Ring
Group Meredith Corporation (DRO)
Assignee –
Priority –
Type Ticket
Channel Web Form

This email is a service from FCC Complaints.