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June 2, 2022

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. 5455400**

Dear Ms. Morris:

At the direction of WSYX in Columbus, Ohio, Facility ID 56549 (the “Station”), this letter responds to the above-referenced Notice of Informal Complaint (the “Notice”), served on May 3, 2022. The Notice relates to a complaint regarding the quality of closed captioning during the Station’s May 2, 2022 6:00 p.m. newscast (“Newscast”), submitted by a New Jersey viewer who was watching via the Station’s website.¹

Immediately following receipt of the Notice, I contacted the Station’s general manager, chief engineer and news director to investigate the allegations, and I obtained the video recording of the over-the-air broadcast of the Newscast. I reviewed the Newscast in its entirety, and I found that there were some instances where speaker change notations appeared when the speaker had not changed. This occurred primarily during brief portions of a news segment that began at approximately 6:15 p.m. and a weather segment that began at approximately 6:20 p.m. These segments had a few instances of incorrect speaker change notations in quick succession, but this issue was not generally present during the rest of the Newscast (including an earlier weather segment). I also observed some punctuation errors, however the Newscast as a whole was generally clear and understandable, particularly given the live nature of the program.

Following my review of the Newscast recording, I contacted the Station’s closed captioning vendor and requested that they review the video to determine if there was a technical issue with the Station’s automated speech recognition (“ASR”) system or audio input which may have caused the speaker change false positives during these segments. The Station’s closed captioning vendor advised me that they reviewed the video and were unable to locate anything atypical in their logs that would have contributed to the erroneous speaker change notations in these segments. The closed captioning vendor advised, however, that they are working on enhancements to improve speaker change identification and monitoring the state of developing technology for

¹ The complaint refers to the “date and time of the captioning problem” as “Mon 5/3 at 6:15 p EST” however, because the complaint was originally filed at 6:30 p.m. on May 2, 2022 and later supplemented at 12:30 p.m. on May 3, 2022, the Station is responding based on what it believes is the newscast at issue, the May 2 newscast

advances that will continue to improve the system's speaker change detection capabilities. Additionally, the vendor explained that they would use the segment's content as training data for the ASR system, as more accurate recognition improves the performance of the system's punctuation engine and overall viewer experience.

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."² In applying its closed captioning quality standards, the Commission has said that it will take into account "the overall 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, and the extent to which the captioning errors prevented viewers from having access to the programming."³

The Station therefore respectfully requests that the Notice be dismissed. Consistent with the foregoing, and the Commission's captioning quality standards, the Station's real-time closed captioning of the Newscast was overall accurate, understandable and conveyed the aural content of the program, and the Station is working with its closed captioning vendor to ensure that it continues to deliver quality closed captioning to its viewers.

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

Sincerely yours,



Susan E. Domozych
Senior Manager/Senior Paralegal

cc: WSYX
Ms. Olivia Horovitz

² *Closed Captioning of Video Programming*, Report and Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking, 29 FCC Rcd 2221 ¶ 40 (2014).

³ *Id.* ¶ 42; *see also* 47 C.F.R. §79.1(j)(3)(i).