

OFFICIAL NOTICE OF INFORMAL COMPLAINT – FCC Complaint Ticket No. 244705

The Federal Communications Commission (FCC or Commission) is serving your company with this informal complaint that **Lynn Dey** filed with the Disability Rights Office (DRO). The informal complaint concerns obligations to provide emergency information in an accessible manner for video programming shown on television. We are investigating 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(c) of the Commission's rules, 47 C.F.R. § 79.2(c).

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 you need to take steps to satisfy the informal complaint and come into compliance, please summarize your proposed actions and the timeframe for completion. Please also include some form of recording (CD, DVD, VHS) of the time(s) and date(s) of the complained about event(s). Your response is due no later than thirty (30) days from the date of this Notice.

Please submit your response to the Commission by replying to this email or via the FCC Consumer Help Center. 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 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 publically 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](mailto: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.



## #244705 No captioning during Emergency Weather announcements on ABC 9

**Submitted** Apr 20, 1:13 PM **Received via** Web Form **Requester** Lynndeycdi2003 <lynndeycdi2003@gmail.com>

**Status** Open **Type** - **Priority** - **Group** DRO - Main Form **Assignee** Sherita Kennedy

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<b>TV Method</b>	<b>Accessibility Issues</b>	<b>First Name</b>	<b>Last Name</b>	<b>State</b>
Fiber	Emergency Information on TV	Lynn	Dey	North Carolina
<b>Zip Code</b>	<b>Time of Issue</b>	<b>Date of Issue</b>	<b>Phone (where you can be contacted)</b>	
28273-6713	7:00 pm	Apr 19	704-469-5665	
<b>TV channel</b>	<b>City Where Program was Viewed/Heard</b>	<b>City of Company Complaining About</b>		
9	Charlotte	Charlotte		
<b>State of Company Complaining About</b>	<b>Preferred Method of Response</b>	<b>Network</b>	<b>Call Sign</b>	
North Carolina	Email	ABC	WSOC	
<b>State Where Program was Viewed/Heard</b>	<b>Address 1</b>	<b>City</b>		
North Carolina	11907 Hookston Lane	Charlotte		
<b>Filing on Behalf of Someone</b>				
No				

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**Lynndeycdi2003** Apr 20, 1:13 PM

(PROCESSED BY CTR 364) Ms. Dey, who is Deaf, states that ABC 9 in Charlotte, North Carolina did not caption its emergency weather announcements that were broadcast during commercial breaks.

The storm event on April 19 had 3 distinct hazards - heavy rain, flooding and tornadoes - and so it was very important for deaf people in the Charlotte area to have access to the exact same information that hearing viewers had, at the same time. For instance, the "red" area of the storm last night was directly over where Ms. Dey lives - but the announcements were not captioned at all.

Ms. Dey wishes to recognize ABC 9's excellent work in captioning its programming, but wants to ensure that these emergency announcements are captioned so that deaf people can benefit equally from these late-breaking weather emergency announcements.

To verify this, Ms. Dey has attached a snapshot of what was shown on her TV screen last night.

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