

Federal Communications Commission
Consumer & Governmental Affairs Bureau
Disability Rights Office
445 12th Street, S.W.
Washington, D.C. 20554

OFFICIAL
NOTICE OF INFORMAL COMPLAINT

February 23, 2016

In reply refer to case number: 825407

Community Television of Southern California (Call Sign KCET) – Crowe

The Federal Communications Commission (FCC or Commission) is serving your company with this informal complaint that Charles Crowe filed with the Disability Rights Office (DRO). The informal complaint concerns obligations to provide closed captioning 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 79.1 of the Commission's rules, 47 C.F.R. § 79.1.

This Notice of Informal Complaint (Notice or NOIC) directs your company, as the Broadcaster or Multichannel Video Programming Distributor (MVPD), to respond fully and directly to each and every material allegation raised in the informal complaint and summarize the actions taken by your company to satisfy the informal complaint and come into compliance with controlling law within thirty (30) days of the date of this Notice.

If the programming at issue had been delivered to your company without captions, your company must check with the supplying network or program producer before responding to this Notice to determine whether the programming is exempt from the captioning requirements pursuant to one of the categorical exemptions in 47 CFR §79.1(d) or to an individual petition for exemption filed under 47 CFR §79.1(f). Please note that even if the supplying network or program producer qualifies for a captioning exemption, it still has an obligation to pass through captions of already captioned programs in accordance with 79.1(c).

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 or by calling 202-418-2517. In your message, please include your name, your company's name, the ticket number, and your specific questions.

#825407 Closed Caption placement

Submitted February 22, 2016, 2:21 PM **Received via** Web Form **Requester** Charlcro9 <charlcro9@verizon.net>

CCs
Judy Miller <judy.miller@fcc.gov>

Status Open **Type** - **Priority** - **Group** DRO - Main Form **Assignee** Judy Miller

Name of TV program	TV Method	Accessibility Issues	First Name	Last Name
Doc Martin	Broadcast	Closed Captioning on TV	Charles	Crowe
State	Zip Code	Time of Issue	Date of Issue	Phone (where you can be contacted)
California	91767	8:00 PM	Jan 28	
TV channel	City Where Program was Viewed/Heard		State of Company Complaining About	
28	Pomona Ca. 91767		California	
Preferred Method of Response		Name of Company Complaining About		
Email		Kcet ch. 28 tv		
Zip Code of Company Complaining About			Call Sign	
91505			Kcet	
State Where Program was Viewed/Heard		Address 1		
California				
Phone Number of Company Complaining About		City	Filing on Behalf of Someone	
747-201-5000		Pomona	No	

DRO Private Notes

Please serve 79.1 NOIC on the broadcaster, KCET

Charlcro9 Feb 22, 2:21 PM

On KCET ch.28 in cal. I watch the BBC show Doc Martin. I have to have on CC for my mother. For some unknown reason they have the CC at the top of the screen. I sent an Email after the first show asking why and they said they would look into it. This like most BBC show only number 8 - 10 a season. This Thursday will be the 5th show and still the CC is at the top. I said not to take to much time looking into it as there are only a few shows left. I tried to call but could not talk to anyone with a last name and all I have is "Sharon A.". They only want to talk if you have a donation to make, other then that send an Email, I did that and still now answer as to what the moved the CC to the top. The first 6 seasons it was at the bottom like it should be. In your consumer guide it says "Properly placed: Captions should not block other important visual content on the screen", I would think the faces of the actors would be considered an "important visual content on the screen", or maybe Kcet does not think faces are important. I have tried to contact someone but only got one reply. Please help. Thanks Charles Crowe.

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