



Robert J. Folliard
T: +1 202 776 2357
rfolliard@cooley.com

July 23, 2014

VIA HAND DELIVERY AND EMAIL

Ms. Susan L. Kimmel
Deputy Chief, Disability Rights Office
Consumer & Governmental Affairs Bureau
Federal Communications Commission
445 Twelfth Street S.W.
Washington, D.C. 20554

Re: WSMV-TV, Nashville, Tennessee
Facility Identification Number 41232
FCC File Number 14-C00581030 (SK) (
Response to Notice of Informal Complaint

Dear Ms. Kimmel:

On behalf of Meredith Corporation (“Meredith”), the licensee of WSMV-TV, Nashville, Tennessee, we hereby submit Meredith’s response to a June 23, 2014 letter from the Commission’s Consumer & Governmental Affairs Bureau (the “Letter”). The Letter forwarded a complaint from Mr. _____, who complained that certain station programming on May 6, 2014 did not contain closed captioning.

Given the importance with which Meredith takes its responsibilities to serve local communities, Meredith commenced a thorough investigation. Meredith is pleased to be able to respond to the Commission and to send a copy of its response directly to Mr. _____ today.

If you have any questions about the attached response, please inform me.

Respectfully submitted,



Robert J. Folliard, III

Attachment

cc: Ms. Sherita Kennedy (via e-mail)
Mr.



July 23, 2014

Ms. Susan L. Kimmel
Deputy Chief, Disability Rights Office
Consumer & Governmental Affairs Bureau
Federal Communications Commission
445 Twelfth Street S.W.
Washington, D.C. 20554

Re: WSMV-TV, Nashville, Tennessee
Facility Identification Number 41232
FCC File Number 14-C00581030 (SK)
Response to Notice of Informal Complaint

Dear Ms. Kimmel:

Meredith Corporation ("Meredith"), licensee of WSMV-TV, Nashville, Tennessee, recently received from the Federal Communications Commission's Consumer & Governmental Affairs Bureau ("Bureau"), a letter dated June 23, 2014, attaching a complaint submitted to the Commission by Mr. [REDACTED], regarding the lack of closed captioning during primetime programming aired on May 6, 2014.¹ As explained in more detail below, we believe that WSMV-TV has met its obligations regarding the provision of closed captioning.²

Before the Bureau sent Mr. [REDACTED] complaint to Meredith, Meredith already was well aware of the closed captioning issues that Mr. [REDACTED] was experiencing. Mr. [REDACTED] first contacted Meredith on January 28, 2014, complaining of problems with the captioning on WSMV-TV. As Mr. [REDACTED] explains in his complaint, he subscribes to AT&T U-Verse. Meredith immediately conducted a thorough investigation into the matter and worked closely with engineers from AT&T to isolate the source of Mr. [REDACTED] captioning problems. Ultimately, Meredith concluded that equipment within AT&T's plant had corrupted WSMV-TV's closed captions after Meredith had handed off its signal to AT&T. Meredith, however, believes that AT&T now has resolved whatever issues had been affecting WSMV-TV's closed captions.

Meredith is confident that the lack of closed captioning described in Mr. [REDACTED] complaint was not the result of any failure on Meredith's end to caption or pass through captions

¹ *Notice of Informal Complaint*, from Susan L. Kimmel, Deputy Chief, Disability Rights Office, Consumer & Governmental Affairs Bureau, Federal Communications Commission, to Meredith Communications, Inc., File No. 14-C00581030 (June 23, 2014) (the "Complaint"). Specifically, Mr. [REDACTED] complaint states that a few minutes after network produced programs began, closed captions would drop off.

² Meredith understands that the Bureau requested a recording of the programming referred to in Mr. [REDACTED] complaint. Because WSMV-TV is limited on the amount of video it can store and regularly records over its older programming, WSMV-TV is unable to provide a copy of the programming that aired on the date in question.

on its programming or to ensure that its captioning equipment was working properly. During the course of Meredith's investigation, station personnel isolated each piece of hardware to determine if the station's closed captioning equipment or the related software was causing any problems for its closed captions. With each successive test, WSMV-TV's engineers were unable to identify any issue with WSMV-TV's closed captioning equipment.

Throughout its investigation and as a matter of routine station practice, Meredith actively monitored its video programming to ensure that closed captions were appearing onscreen properly. At master control, Meredith displays WSMV-TV's captions at all times, and Meredith has instructed its personnel to monitor the captions and immediately report any discrepancies.³ None of Meredith's personnel reported viewing any difficulties with WSMV-TV's captions.

Additionally, Meredith's engineers frequently inspect the station's closed captioning equipment to ensure it is operating properly. At no time, during its investigation or since then, have station personnel observed any irregularities with WSMV-TV's closed captions. All in all, Meredith is confident that its programming was properly captioned in accordance with FCC rules and that any issues experienced did not result from any malfunction with the station's closed captioning equipment or Meredith's failure to properly caption its programming.

Based on Meredith's investigation, Meredith believes that Mr. issues likely arose from technical issues within AT&T's plant. AT&T receives WSMV-TV's signal from the same source as Comcast, Dish Network, and DirecTV. During the time that Mr. experienced problems with his closed captioning, Meredith also received complaints from other AT&T subscribers. But, Meredith did not receive complaints from subscribers to other MVPD services or from over-the-air viewers.

Accordingly, beginning in February 2014, Meredith worked closely with engineers from AT&T to isolate and resolve the problem. Finally in May 2014, AT&T told Meredith that it made certain adjustments to its equipment that Meredith believes resolved the captioning problems. On May 23, 2014, AT&T contacted WSMV-TV's engineering staff to inform Meredith that, after making its adjustments, AT&T had not observed any captioning irregularities for more than 72 hours. With that notice from AT&T, Meredith considered the matter resolved. Indeed, since late May 2014, Meredith has not received any related complaints about its closed captioning. Moreover, Meredith has not observed any problems as a result of its regular monitoring of its programming and captioning equipment.

If Mr. continues to experience problems, Meredith invites him to contact WSMV-TV directly. WSMV-TV provides several mechanisms by which viewers can inform the station of closed captioning problems. A viewer can report any closed captioning problems by emailing the station's Closed Captioning Concerns email account at ClosedCaption@WSMV.com. In addition, viewers can contact the station's Captioning Hotline about closed captioning concerns by telephone or fax. A station representative attempts to respond to any and all viewer comments or complaints within one business day. If Mr. continues to experience

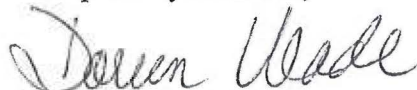
³ Unfortunately, station personnel do not have a means to observe the Station's signal as retransmitted by AT&T.

Susan L. Kimmel
July 23, 2014
Page 3 of 3

difficulties with the station's closed captioning, WSMV-TV's engineering staff will work with him and, if appropriate, AT&T to find a solution.

Meredith submits that it provides local viewers with closed captioning information that exceeds our obligations under the Commission's rules. WSMV-TV takes great pride in serving the Nashville market and continually reassesses its service to the community. If you should have any further questions or concerns, please do not hesitate to be in touch with our counsel.

Respectfully submitted,



Doreen Wade
Vice President and General Manager

cc: Ms. Sherita Kennedy (via e-mail)
Mr.