



Federal Communications Commission
Washington, D.C. 20554
September 24, 2012

Ms. Irene Macewich
5245 West Wolfram Street
Chicago, IL 60641

RE: FCC # IC 12-C00367537 (WTTW)

Dear Ms. Macewich,

This letter is in reference to the informal complaint, referenced above, that you filed with the Federal Communications Commission (Commission). A copy of your complaint is enclosed. The complaint implicates the Commission's rules requiring closed captioning. See Section 713 of the Act, 47 U.S.C. § 613, and Section 79.1 of the Commission's Rules, 47 C.F.R. § 79.1 *et seq.* Pursuant to the informal complaint process set forth in section 79.1 (g) of the Commission forwarded your informal complaint to the company named in the complaint, along with a Notice of Informal Complaint (NOIC). The NOIC instructed the company to file a response within 30 days of the date of the NOIC, and to send you a copy their response.

We have reviewed the informal complaint, the company's response and supporting evidence if warranted, and other information relevant to the claims made in the complaint. Based on the record, we find that the concerns you raised in your complaint have been addressed and, consistent with the complaint provisions of section 79.1 (g), no further action is required by the Commission. If you are still experiencing captioning problems, please file a new informal complaint using FCC Form 2000C an on-line complaint form found at the web site: www.fcc.gov/cgb/complaints.html. Please include detailed information e.g., the specific movie titles, dates and times.

Under the 21st Century Communications and Video Accessibility Act, there is a provision to improve user interfaces so consumers can access captions more easily. The Commission is in the process of drafting these rules. To stay informed about this and other disability issues, you may subscribe to a listserv provided by the Disability Rights Office. To do so send an email to Accessinfo@fcc.gov with the word "subscribe" in the subject line.

If you have any questions about this matter, please do not hesitate to write us at 445 12th Street, SW, Washington, D.C. 20554, or call us at 1-888-CALL-FCC (1-888-225-5322). TTY users may dial 1-888-835-5322.

Sincerely,

A handwritten signature in cursive script that reads "Susan Kimmel".

Susan Kimmel, Deputy Chief
Disability Rights Office
Consumer & Governmental Affairs Bureau

Encl.

*✉ Email Customer
of Verification Resolution*

Network Chicago
5400 North St. Louis Avenue
Chicago, Illinois 60625 4698
Telephone 773 583 5000
Fax 773 583 3046

wttw11 | 98.7wfmf

August 2, 2012

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554
ATTENTION: Consumer & Government Affairs Bureau
Disability Rights Office

Re: 12-C00367537-SG (Macewich)
Window to the World Communications, Inc.
Station WTTW(TV)
Response to Further Notice of Informal Complaint

Dear FCC:

Window to the World Communications, Inc., licensee of noncommercial educational digital television station WTTW, Chicago, Illinois, responds to the above-referenced Further Notice of Informal Complaint dated July 6, 2012. The Further Notice was a follow-up request following WTTW's June 4, 2012 reply to the original May 7, 2012 Notice of Complaint in this File Number. As explained below, the recent reports of spotty captioning resulted from technical problems related to the severe weather events of June 30, 2012, which were beyond WTTW's control and which affected the east coast programming supplier for one of WTTW's multicast channel services. However, the resulting technical issues were temporary, and WTTW has been in contact with the viewer to confirm resolution of the reported captioning problems.

Background. WTTW broadcasts four distinct program streams. Our primary channel, 11.1, is broadcast in high definition, and features locally-produced original programs and PBS programming. Our three multicast streams are broadcast in standard definition and include Prime (additional public TV offerings) on 11.2, Create (instructional programs providing expert advice on cooking, arts & crafts, gardening, home improvement and travel) on 11.3, and v-me (Spanish language public TV programming) on 11.4. In response to the original complaint, WTTW investigated and resolved the technical problems (relating to WTTW's use of a new server and its ability to "down-convert" high definition programs to standard definition) which had caused closed captioning difficulties for Ms. Macewich and her viewing of WTTW's programming stream on 11.2.

Recent Multicast Program Stream Captioning Issues and Resolution. After the corrective measures taken by WTTW as detailed in its June 4, 2012 reply, closed captioning on all of our sub channels has been present and consistent; however, on June 30, 2012, a massive and destructive thunderstorm in the Washington, D.C. and New York area (see, for example: <http://www.nytimes.com/2012/07/01/us/storms-leave-2-million-without->

power.html?pagewanted=all) caused technical problems affecting the programming feed for the Create channel, the service which WTTW broadcasts as a pass-through on its 11.3 subchannel. As a result, regular service for Create was suspended from the time of the storm until July 3, 2012. During this outage, WTTW's 11.3 multicast stream was often off the air, or at times we were able to restore service by airing a "loop" of programs being fed from a back-up server at PBS. At one point on July 2, 2012, while still broadcasting this back-up service, the receiver designated for reception of Create malfunctioned and we were forced to utilize a back-up receiver which was not configured to correctly pass through the closed captioning. Once we were confident that the primary receiver was functioning correctly, we returned to our primary receiver.

After receiving notice of the further complaint, WTTW's Director of Engineering Maintenance and Information Technology Mike Tomparry directly contacted the complainant, Ms. Macewich, to inquire about her latest report of spotty or erratic closed captioning. Mr. Tomparry was informed that except for that period of time when 11.3 was experiencing the problems noted in the preceding paragraph, she was not having problems with the captioning on WTTW. Most recently, on July 17, 2012 we received a call from Ms. Macewich informing us of missing closed captioning for two programs that aired on Sunday, July 15, 2012. Both broadcasts were re-airings of older programs (one from the 1970's) which had not previously been captioned, but WTTW plans to caption those programs prior to any additional broadcasts.

Accordingly, WTTW respectfully submits that it has fully addressed the issues noted in the Further Notice of Informal Complaint. The closed captioning problems leading to the complaint resulted from temporary technical problems related to efforts to maintain broadcasts despite severe weather conditions which were beyond WTTW's control and affected the east coast programming supplier for its Create subchannel 11.3 broadcasts. WTTW will continue to monitor its closed captioning activity to ensure on-going compliance, and appreciates the assistance and communication provided by its viewers in these efforts.

Sincerely,

WINDOW TO THE WORLD
COMMUNICATIONS, INC.

By: 

Ron Yergovich, Vice President, Engineering
WTTW, Chicago

Date: August 2, 2012

cc: Susan.Kimmel@fcc.gov
Solita.Griffis@fcc.gov
Irene Macewich (Sandra.Semkiw@comcast.net)

2726

United States Government
Federal Communications Commission
Consumer & Governmental Affairs Bureau
Disability Rights Office
445 12th Street, SW
Washington, D.C. 20554

OFFICIAL
FURTHER NOTICE OF INFORMAL COMPLAINT

Date: July 6, 2012

In reply refer to case number: 12-C00367537-SG
WTTW (Macewich)

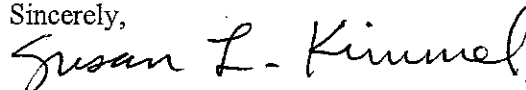
THE COMPANY IDENTIFIED IN THE ATTACHED COMPLAINT IS REQUIRED TO RESPOND TO THIS NOTICE OF INFORMAL COMPLAINT WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Failure of any person to answer any lawful Commission inquiry is considered a misdemeanor punishable by a fine under Section 409(m) of the Communications Act (Act), 47 U.S.C. § 409(m). Further, failure to comply with any order of the Commission can result in prosecution under Section 401(b) of the Act, 47 U.S.C. § 401(b). Section 501 of the Act, 47 U.S.C. § 501, and Section 503(b)(1)(B) of the Act, 47 U.S.C. § 503(b)(1)(B), provide for forfeiture penalties against any person who willfully fails to follow the directives of the Act or of a Commission order. The Commission can impose forfeiture penalties of up to \$1.2 million for certain types of violations.

The attached complaint was filed with the Commission pursuant to Section 713 of the Act, 47 U.S.C. § 613, and Section 79.1 of the Commission's Rules, 47 C.F.R. § 79.1. A letter acknowledging your company's receipt of this Notice and of the enclosed complaint should be sent to each consumer Complainant as soon as your company receives this Notice. Pursuant to Sections 713 and 4(i) of the Act, 47 U.S.C. §§ 613, 154(i), and Section 79.1(g) of the Commission's Rules, 47 C.F.R. § 79.1(g), we are forwarding a copy of the complaint so that your company may satisfy or answer the complaint based on a thorough review of all relevant records and other information. Your company should respond specifically to all material allegations raised in each complaint and summarize the actions taken by your company to satisfy the complaint. **Your company responded to the initial Notice of Informal Complaint (NOIC). This is a follow-up request. The customer captioning is still spotty, erratic or not receiving closed captioning on Channel 11-2 Prime. Note that our closed captioning rules state that non-exempt video programming distributors must provide closed captioning.**

Written responses must be filed with the Commission at 445 12th St., SW, Washington, D.C. 20554. A separate response should be filed for each individual complaint. Each response should include: (1) the Complainant's name, and (2) the Case number. Companies are directed to send copies of their responses to the complainant at the same time their responses are forwarded to the Commission.

Due to heightened security measures undertaken in Washington, D.C., and at this agency, you should also send an electronic copy of the response letter to Susan.Kimmel@fcc.gov AND to Solita.Griffis@fcc.gov. Companies are directed to send copies of their responses to consumers at the same time their responses are forwarded to the Commission. Each company required to respond to this Notice is directed to retain all records until final Commission disposition of the complaints. If you have any questions regarding this Notice, please call or email Solita Griffis at (202) 418-1564 or Solita.Griffis@fcc.gov, and leave a detailed message specifying the calling company name, the Case number, and the specific questions that you would like to have answered.

Sincerely,



Susan L. Kimmel, Deputy Chief
Disability Rights Office
Consumer & Governmental Affairs Bureau

Encl

Denial customer
email of
resolution
not FASDC needed

5854
Network Chicago
5400 North St. Louis Avenue
Chicago, Illinois 60625 4698
Telephone 773 583 5000
Fax 773 583 3046

Received & Inspected
JUN 6 - 2012
FCC Mail Room

wttw11 | 98.7wfmt

June 4, 2012

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554
ATTENTION: Consumer & Government Affairs Bureau
Disability Rights Office

Re: 12-C00367537-SG (Macewich)
Window to the World Communications, Inc.
Station WTTW(TV)
Response to Notice of Informal Complaint

Dear FCC:

Window to the World Communications, Inc., licensee of noncommercial educational digital television station WTTW, Chicago, Illinois, responds to the above-referenced Notice of Informal Complaint dated May 7, 2012. The Notice informed WTTW that an informal consumer complaint was filed with the Commission concerning closed captioning on WTTW Prime, one of WTTW's secondary multicast programming streams which airs on virtual Channel 11.2. As explained in detail below, the captioning issue identified by the complaint resulted from equipment malfunctions and technical problems related to WTTW's transition to a new "K2" server (namely the server's ability to down convert high definition programs to standard definition for broadcast on 11.2), but WTTW has already taken several steps to pinpoint and correct its closed captioning displays for consumers.

Background and WTTW Closed Captioning Monitoring. WTTW broadcasts four program streams. Our primary channel, 11.1, is broadcast in high definition, and the other three streams are broadcast in standard definition. WTTW's Master Control studio includes monitors for each of the four streams which receive the off air signals with the closed captioning displayed. WTTW's master control operators are instructed monitor the presence of captioning and to address any instances in which the captions are not being displayed correctly, including implementing immediate corrections when possible, or contacting maintenance technicians to assist when necessary.

Recent Equipment Changes and Resulting Closed Captioning Problem on 11.2. Last year WTTW installed a Grass Valley K2 server to replace both its Avid Media Stream server (which was used for high definition playback) and its Seachange BMC server (which was used for

standard definition playback). WTTW's migration plan for this change included airing archived programs (that were stored in the two old servers) while recording all new content into the new server, and also airing those new programs from the new server. Our master control operators were also asked, as time permitted, to dub older programs from the old servers into the new. Programs produced in high definition are recorded in high definition because the K2 is capable of performing a down conversion to standard definition in real time during playback. Programs produced in standard definition are dubbed into the K2 as standard definition.

Early in the transition from the Seachange server to the K2 server, most of the programs broadcast on WTTW Primer sub channel 11.2 aired from the Seachange server. As time progressed, and in accordance with the migration plan, more shows aired from the K2 server, including a mix of standard definition and down converted high definition programs. Gradually, the number of down converted high definition programs increased, and as they increased we noticed occasionally that the displayed captions, although present, would become garbled on the off air monitor (and as experienced by the complainant); however, when WTTW staff checked the captions in the server, the closed captions were correct. Notably, WTTW's discovery of this problem occurred in March, 2012 – after the problem encountered by the complainant on February 1, 2012, but before WTTW received the FCC notice of informal complaint dated May 7, 2012. By April, 2012, WTTW had taken the investigative and corrective steps detailed below.

WTTW's Investigative and Corrective Measures. In an effort to determine the cause of this intermittent issue, we tried rebooting the Evertz 8084 Captioning Encoder that fed the broadcast encoder the closed captions for sub channel 11.2. To attempt to isolate the issue, we tried swapping the 11.2 Captioning Encoder with the unit used for WTTW's sub_channel 11.3, but the problem still appeared intermittently, although only on 11.2. Thus we also tried swapping the broadcast encoder and the off air receiver, but these efforts never totally eliminated the problem. We finally discovered that when the K2 server down converted a high definition program for playback, the closed caption stream would appear to go away during times of no dialogue, and then come back on suddenly when dialogue returned. This issue would intermittently cause the Evertz Caption Encoder to miss words and then scroll in an improper manner, resulting in the captions as displayed making no rational sense, the circumstance which the complainant clearly experienced. Further testing showed that the K2 server would playback the captions correctly in high definition, and that other devices (such as the AJA FS1) would successfully down convert the media with the correct captions.

Once it was determined that the use of the K2 server to down convert high definition programs to standard definition was causing the issues with closed captions, WTTW reconfigured the K2 server to provide playback in high definition, and also inserted an AJA FS1 into the program stream to perform the down conversion needed to playback programs on 11.2. Close monitoring of the closed captions has not revealed any problems since that time. We have also been in contact with Grass Valley (the manufacturer of the K2 server). They were able to duplicate the issues in their laboratory, and have informed us that they are working on a fix for the problem at the manufacturer level.

WTTW sincerely regrets the equipment malfunctions which negatively affected viewer reception of the captioning of programs on its WTTW Prime 11.2 secondary channel. However, as summarized in this response, WTTW independently monitored and discovered the problem, and then took several steps to research, identify, and correct the issue so that difficulties such as those experienced by the complainant should not be an issue going forward. WTTW therefore respectfully submits that it has taken the steps necessary to fully address and correct the matter identified by the complaint. WTTW continues to take seriously its commitment as an FCC broadcast station licensee to ensure that its facilities not only conform to all FCC regulations, but also serve its viewers in its local community.

Moreover, WTTW also maintains its deep commitment to disability rights. We broadcast an average of twenty (20) hours of local productions, and one hundred forty eight (148) hours of PBS programming on a weekly basis, and strive to ensure that our programming complies with closed captioning requirements. As explained, the off-air receipt and display of closed captioning is featured on our master control program monitors and engineers are assigned to monitor the program stream twenty four hours a day, seven days a week. For all of the reasons noted above, WTTW respectfully requests the Commission's acceptance of WTTW's corrective actions, and its forbearance from pursuit of further enforcement efforts in this matter. Should any questions arise concerning this response, kindly contact the undersigned.

Sincerely,

WINDOW TO THE WORLD
COMMUNICATIONS, INC.

By: *Ron Yergovich*
Ron Yergovich, Vice President, Engineering
WTTW, Chicago
Date: June 4, 2012

cc: Susan.Kimmel@fcc.gov
Solita.Griffis@fcc.gov
Irene Macewich (Sandra.Semkiw@comcast.net)

1007

United States Government
Federal Communications Commission
Consumer & Governmental Affairs Bureau
Disability Rights Office
445 12th Street, SW
Washington, D.C. 20554

OFFICIAL
NOTICE OF INFORMAL COMPLAINT

Date: May 7, 2012

In reply refer to case numbers: 12-C00367537 -SG
WTTW (Macewich)

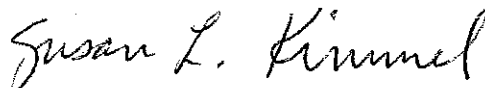
THE COMPANY IDENTIFIED IN THE ATTACHED COMPLAINT IS REQUIRED TO RESPOND TO THIS NOTICE OF INFORMAL COMPLAINT WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Failure of any person to answer any lawful Commission inquiry is considered a misdemeanor punishable by a fine under Section 409(m) of the Communications Act (Act), 47 U.S.C. § 409(m). Further, failure to comply with any order of the Commission can result in prosecution under Section 401(b) of the Act, 47 U.S.C. § 401(b). Section 501 of the Act, 47 U.S.C. § 501, and Section 503(b)(1)(B) of the Act, 47 U.S.C. § 503(b)(1)(B), provide for forfeiture penalties against any person who willfully fails to follow the directives of the Act or of a Commission order. The Commission can impose forfeiture penalties of up to \$1.2 million for certain types of violations.

The attached complaint was filed with the Commission pursuant to Section 713 of the Act, 47 U.S.C. § 613, and Section 79.1 of the Commission's Rules, 47 C.F.R. § 79.1. A letter acknowledging your company's receipt of this Notice and of the enclosed complaint should be sent to each consumer Complainant as soon as your company receives this Notice. Pursuant to Sections 713 and 4(i) of the Act, 47 U.S.C. §§ 613, 154(i), and Section 79.1(g) of the Commission's Rules, 47 C.F.R. § 79.1(g), we are forwarding a copy of the complaint so that your company may satisfy or answer the complaint based on a thorough review of all relevant records and other information. Your company should respond specifically to all material allegations raised in each complaint and summarize the actions taken by your company to satisfy the complaint.

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Sincerely,



Susan L. Kimmel,
Deputy Chief, Disability Rights Office
Consumer & Governmental Affairs Bureau

Encl



Admin 2000 [Switch to Admin1088]

FOR FCC INTERNAL USE ONLY
solita.griffis [CAM] Logout
Carrier Lookup

HOME SEARCH NEW COMPLAINT HELP DOWNLOAD
In-Process Completed Served

Form 2000C (Disability Access Complaint) : 12-C00367537-1

User Form
Admin Comments
Serve Review
Serve Process
File Attachments
Letters
Show All
Sub Complaints(0)
Print Form
Email Factsheet(s)

USER FORM

Consumer Party History
 Consumer History
 Form History
 Edit Form

User Complaint Number: 12-C00367537 User Complaint Key: 12-C00367537-1
 Complaint Source: Web Added User: Consumer

Submission date: 02/02/2012

CONSUMER'S INFORMATION

First Name: Irene Last Name: Macewich
 Company Name:

(Complete only if you are filing this complaint on behalf of a company or an organization.)

PO Box:

Address1: 5245 West Wolfram Street

Address2:

City: Chicago State: IL

Zip Code: 60641

Telephone Number(Residential or Business): (773) 777 -3977 Ext:

E-mail Address: sandra.semkiw@comcast.net

Are you filing information on behalf of another party, such as client, parent, spouse or roommate? **No**
 If yes, complete items a through h.
 Your relationship with the party:

The party's first name:

The party's last name:

The party's daytime phone number: () - Ext:

The party's street address or post office box number:

City: State: IL Zip Code:

E-mail Address:
 Fax Number: 0 -

IMPORTANT: Please indicate the preferred format or method of response to the complaint by the Commission and defendant:

- Letter Facsimile (fax) Telephone Voice
- TRS (designate form of TRS and appropriate contact information)
- TTY Internet E-mail ASCII Text Audio-Cassette Recording Braille

FORM 2000C:

1. Check the appropriate box for your type of complaint:

- Telecommunications Relay Service (TRS) (i.e., TTY-based, IP Relay, CapTel, IP CapTel, Speech-to-Speech, Video Relay Service (VRS))
- Accessibility of emergency information on television
- Closed Captioning**
- Wireless telephone equipment or service (includes hearing aid compatibility and other accessibility issues)
- Wire line telephone equipment or service (includes hearing aid compatibility and other accessibility issues)

2. Provide the name, address and telephone number (if known) of the company(s) involved in your complaint:
 Name:

City: **Chicago** State: **IL** Zip Code: **60639**
 Telephone number: () -

3. If your complaint is about accessibility of telecommunications services or equipment, provide the make and model number of the equipment or device that this complaint is about:

4. If your complaint is about closed captioning or emergency information on television, provide the date (mm/dd/yyyy) **02/01/2012** Time: **07:00 PM** and any details of when the event or action you are complaining about occurred:

5. If your complaint is about access to emergency information on television, provide the following information:

- a. Television station call sign and network name (if applicable), or channel name (e.g., "WZUF, CBC," "WZUE-TV," "Sportingchannel West"):
- b. Channel (e.g., "13"):
- c. Station or subscription TV provider system location:
 City: **County: State: IL**

d. Date(s) and time(s) of emergency; and time

e. Detailed description of the emergency (i.e., flood, hurricane, tornado, etc., as well as the areas in which the emergency occurred):

6. If your complaint is about closed captioning, provide the following:

a. Television station call sign and network name (if applicable), or channel name (e.g., "WZUF, CBC," "WZUE-TV," "Sportingchannel West"); **WTTW**

b. Channel (e.g., "13"); **11-2 Prime**

c. Station or subscription TV provider system location:
 City: **Chicago** County: **IL** State: **IL**

d. If you pay to receive television programming, type of subscription service (e.g., cable, satellite): **Do NOT pay - broadcast**

e. If you pay to receive television programming, name of company to whom you subscribe:

f. Name of program(s) involved: **"Check, Please"**

7. Briefly describe your complaint and include the resolution you are seeking. If applicable, provide a full description of the telecommunications equipment or customer premises equipment (CPE) and/or the telecommunications service about which the complaint is made, and the date or dates on which the complaint either purchased, acquired or used, or attempted to purchase, acquire or use the telecommunications equipment, CPE or telecommunications service about which the complaint is being made. **Closed Captioning was nonsensical; a garble of characters. This was a pre-recorded program, not a live broadcast. We have complained to the station in the past(Mr. Ron Yergovich) regarding very poor or non-existing captions. We request that the station follow the law and provide captioning or be fined or reprimanded for licensing.**