

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

OFFICIAL

FURTHER NOTICE OF INFORMAL COMPLAINT

August 5, 2008

In Reply Refer To: 08-C00026356-FC  
WKOW-TV (L. Johnson)

**THE COMPANY IDENTIFIED IN THE ATTACHED COMPLAINT IS REQUIRED TO RESPOND TO THIS FURTHER NOTICE OF INFORMAL COMPLAINT WITHIN 15 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 79.2 of the Commission's Rules, 47 C.F.R. § 79.2. 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 79.2(c) of the Commission's Rules, 47 C.F.R. § 79.2(c), 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. Additionally, we are requesting a copy of the tape recording of the broadcast for emergency and safety warnings aired on your station on Saturday, June 7th, 2008.

**Your response should include: (1) the Complainant's name, and (2) the Case number.** For hand deliveries, the Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m., Monday-Friday. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.

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 Francine Crawford at (202) 418-2085 or [Francine.crawford@fcc.gov](mailto:Francine.crawford@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.

  
Cheryl J. King, Deputy Chief  
Disability Rights Office/CGB

Attachment(s)  
K:613/79.2



<a href="#">« Back to Complaints</a>
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**Form 2000C: 08-C00026356-1**

**USER FORM**

[Edit Form](#)

**CONSUMER'S INFORMATION**

First Name: Lily Last Name: **Johnson**  
 Company Name: (Complete only if you are filing this complaint on behalf of a company or an organization.)  
 Street Address or Post Office Box Number: Zip Code:  
 City: **Madison** State: **WI**  
 Telephone Number(Residential or Business): ( ) - Ext:  
 E-mail Address: **lily.johnson35@gmail.com**

Are you filing information on behalf of another party, such as client, parent, spouse or roommate? **Yes**  
 If yes, complete items a through h.  
 Your relationship with the party:

The party's first name:  
 The party's last name:  
 party\_daytime\_phpne ( ) - Ext:  
 The party's street address or post office box number:  
 City: State: Zip Code:  
 E-mail Address:  
 Fax Number: ( ) -

**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 (absence, quality or pass through High Definition (HD) programs)

NOTE: If your complaint is about closed captioning only, you must first contact the station or video programming distributor. For additional information, see <http://www.fcc.gov/cgb/consumerfacts/closedcaption.html>

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: **WKOW-TV**

City: **Madison** State: **WI** Zip Code:

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) **06/09/2008** Time: **12:00 AM** and any details of when the event or action you are complaining about occurred: **See attached**

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

a. Television station call sign (e.g., "WZUE-TV"): **WKOW-TV**

b. Station channel (e.g., "13"): **27**

c. Station location: City: State:

d. Date(s) and time(s) of emergency: Time:

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

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

a. Station call sign (e.g., "KDID," "WZUF," "KDIU-FM," "WZUE-TV"):

b. Station frequency (e.g., "1020" or "88.5"); or channel (e.g., "13"):

c. Station location: City: State:

d. Name of program(s) involved:

**Note: If your complaint is about closed captioning only, you must first contact the station or video programming**

**distributor. For additional information, see <http://www.fcc.gov/cgb/consumerfacts/closedcaption.html>.**

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. **see attached**

WKOW-TV,

I am watching WKOW from Madison, Wisconsin. I am using a TV with an outside antenna.

I have written and called about my concerns in the past. On June 7th, 2008, I was watching and notice that you have some words on the screen, but a large number of warning and safety details about the weather is not provided as text. By doing this, you are excluding my family and friends, as well as the rest of the hearing impaired community, from this information.

At 1:35pm on channel 27 there was a sighting of a tornado in Sauk County. The weather anchor indicated that people should seek shelter, stay away from windows, should not be camping and should find a sturdy structure to seek protection under. This warning information was not in closed captioning, nor were the words provided on the screen for the hearing impaired community.

Again at 1:39pm, a warning to northern Grant County that a possible tornado warning was not written on the screen, nor provided in closed captioning.

At 1:41pm specific descriptions of where the the storm was headed was not provided in written text.

Also, specific locations and roads and the campgrounds including Lake Campground, were the tornado was heading.

1:45pm Instructions of how to protected oneself if no structure is available.

1:48pm "Threat to life and property" not captioned or provided as text. "Golf ball sized hail, 80mph winds"

1:55 Possibility of trees and power lines down- this was not indicated in text.

1:57 Tennis ball hail in green lake county and 90 to 100 mph straight lined winds in Green Lake County- "threat to life and property, you need to be inside now!". "You need to be in the interior or your home or your basement now!" None of this information was captioned, nor provided as text.

1:59pm "If that hits you on the head, you will be in a lot of trouble". "Do not want to drive." A warning to high profile vehicles do not want to be on the road was not in text. A warning to abandon mobile homes was not in text.

2:06pm- There was a warning not to go outside and take pictures in the storms. This was not provided in text nor as closed captioning.

2:08 Tornado spotted on the ground in Woodman by law enforcement. This was not

provided in text nor as closed captioning

2:37pm- Traffic cam showed the rain, and the anchor explained that you should not be driving. This was not provided to the hearing community

2:41pm- There was a list of cities where the storm was headed that were read off, but not written in any way on the screen, and therefore not provided to the hearing impaired community.

The inability of this station to provide equal accessibility to safety information is in violation of \_\_\_\_\_.

Lily Johnson  
[lilyjohnson35@gmail.com](mailto:lilyjohnson35@gmail.com)