

**Carrier Name : WKOW**

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

**OFFICIAL**  
**NOTICE OF INFORMAL COMPLAINT**

November 27, 2012  
(BUECHNER) (WKOW)  
FCC Case No. 12-C00436051-1

Attached is a copy of an informal complaint naming your company that was recently filed with the Disability Rights Office (DRO) of the Federal Communications Commission. Pursuant to Section 713 of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 613, and Section 79.1 of the Commission's Rules, 47 C.F.R. § 79.1, we direct your company to respond to the complaint. **Your response is due within thirty (30) days of the date of this Notice.**

Your company, as the Multichannel Video Programming Distributor (MVPD), must respond specifically to each matter raised in the complaint and summarize the actions that it has taken to satisfy each such matter. If the programming at issue is reaching you without captions, in responding to the complaint, you have the responsibility to check with the supplying network or program producer before responding to determine that either the material is exempt from the captioning requirements pursuant to one of the categorical exemptions in 47 CFR §79.1(d) or pursuant to an individual petition for exemption filed under 47 CFR §79.1(f).

Please provide the complainant's name and the complaint number at the top of your response. A company that receives and responds to informal complaints electronically **must** submit its responses to the Commission via the FCC website using its DRO log-in. If your company does not receive and respond to informal complaints electronically via the FCC website, you must file a hard copy of your response with the Disability Rights Office of the Federal Communications Commission at 445 12th St., SW, Washington, D.C. 20554. Only if you are required to file a hard copy, please also send a courtesy electronic copy of the response to [DROinquiries&complaints@fcc.gov](mailto:DROinquiries&complaints@fcc.gov) which will expedite processing.

You are further directed to send a copy of your response to the complainant at the time that you forward the response to the Commission. To ensure that your response is received by the complainant in an accessible format, please send it pursuant to the preferred format or method of response indicated by the complainant on the complaint form. Finally, your company is directed to retain all records that are or may be pertinent to the allegations raised in each complaint until final Commission disposition of the complaint at issue.

A failure to answer any lawful Commission inquiry is considered a misdemeanor punishable by a fine under Section 409(m) of the Act, 47 U.S.C. § 409(m). Section 503(b)(1)(B) of the Act, 47 U.S.C. § 503(b)(1)(B), provides for the imposition by the Commission of forfeiture penalties against any person who willfully fails to follow the directives of the Act or of a Commission order.

If you have any questions regarding this Notice, please call the DRO inquiries and complaints assistance line at 202-418-7020 or write to [DROinquiries&complaints@fcc.gov](mailto:DROinquiries&complaints@fcc.gov). To ensure that we can adequately respond to your inquiry, please provide the names of the complainant and your company, the complaint number, and the specific questions that you would like to have answered.

Sincerely,



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

## CARRIER RESPONSE COVER PAGE

**COMPLAINT # :** 12-C00436051-1

**CARRIER :** WKOW

**CONSUMER NAME :** BUECHNER



**Carrier Instructions:** To better assist the FCC in ensuring that carrier responses are attached to the correct complaint, this cover page has been provided to you for responding to the complaint referenced above. Please ensure that this page precedes your response to this complaint. If you have any questions, please contact your FCC POC.

**FCC Instructions:** When scanning the carrier's response, select file type "Carrier Response" and upload file to the complaint # noted above.

**Complaint Summary: 12-C00436051-1**

**Date Served :** 11/27/2012

**Response Due Date :** 12/27/2012

**Carrier :** WKOW

**Form Type :** 2000C

**Consumer Name :** BUECHNER, JENNIFER

**Complaint Submission Date:** 10/26/2012

**Complaint Type:** Cable

**Complaint Category:** Disability

**Complaint Sub-Category:** Closed Captioning

User Complaint Key: 12-C00436051

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Carrier: WKOW

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Form 2000C – Disability Access Complaint

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**Consumer's Information:**

First Name: **Jennifer** Last Name: **Buechner**

Company Name:

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

Post Office Box Number:

(Official Post Office box Number Only)

Address 1: **509 Hilltop Dr** Address 2:

Mailing Address (where mail is delivered)

City: **Madison** State: **WI** Zip Code: **53711**

Telephone Number (Residential or Business): **(608) 208 - 1858**

E-mail Address: **jennygem@gmail.com**

Are you filing information on behalf of another party, such as client, parent, spouse or roommate?:

**No**

If yes, complete items a through h.

- a. Your relationship with the party:
- b. The party's first name:
- c. The party's last name:
- d. The party's daytime phone number:
- e. The party's street address or post office box number:
- f. City:      State:      Zip Code:
- g. E-mail address:
- h. Fax Number:

**IMPORTANT:** Please indicate the preferred format or method of response to the complaint by the Commission and defendant: , **Internet E-mail**

**Form 2000C – Disability Access Complaint**

**\*\*\* ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT \*\*\***

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

**Closed Captioning**

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

Name: **WISN TV**

City: **Milwaukee** State: **WI** Zip Code: **53201**

Telephone number: **(414) 342 - 8812**

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) : **10/26/2012 08:00 PM**

and any details of when the event or action you are complaining about occurred:

**The US Senate Debate in Wisconsin was not closed captioned at all. It was filmed by what seems to be WISN12 in Milwaukee, and aired on WKOW in Madison. There were no captions for the entire hour. This is a political debate, allowing voters to understand the candidates agenda. Deaf and hard of hearing people ARE also voting citizens and have the right to the same info as people who can hear have. There is NO excuse for this not to be captioned. None.**

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: **WI**

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

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

6. If your complaint is about video description or closed captioning on television, provide the following:

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

**WKOW**

b. Channel (e.g., "13"): **27/607**

c. Station or subscription TV provider system location:

City: **Madison** County: **Dane**

State: **WI**

**Form 2000C – Disability Access Complaint**

**\*\*\* ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT \*\*\***

- d. If you pay to receive television programming, type of subscription service (e.g., cable, Satellite): **Cable**
- e. If you pay to receive television programming, name of the company to whom you subscribe: **Charter**
- f. Name of program(s) involved: **WISN12, WKOW**

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 complainant 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: **The US Senate Debate in Wisconsin was not closed captioned at all. It was filmed by what seems to be WISN12 in Milwaukee, and aired on WKOW in Madison. There were no captions for the entire hour. This is a political debate, allowing voters to understand the candidates agenda. Deaf and hard of hearing people ARE also voting citizens and have the right to the same info as people who can hear have. There is NO excuse for this not to be captioned. None.**

You may submit this form over the Internet at <http://www.fcc.gov/cgb/complaints.html>, by e-mail to [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov), by fax to 1-866-418-0232, or by postal mail to:

Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Consumer Complaints  
445 12th Street, SW  
Washington, D.C. 20554

In addition, you may submit your complaint over the telephone by calling 1-888-CALL-FCC or 1-888-TELL-FCC (TTY). If you choose to submit your complaint over the telephone, an FCC customer service representative will fill out an electronic version of the form for you during your conversation. If you have any questions, feel free to contact the FCC at 1-888-CALL-FCC or 1-888-TELL-FCC (TTY).

**FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT AND THE PRIVACY ACT**

The Federal Communications Commission is authorized under the Communications Act of 1934, as amended, to collect the personal information that we request in this form. This form is used for complaints that involve disability access. The public reporting for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, OMD-PER, Paperwork Reduction Project (3060-0874), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to [PRA@fcc.gov](mailto:PRA@fcc.gov). PLEASE DO NOT SEND YOUR COMPLETED FORMS TO THIS ADDRESS.

**Form 2000C – Disability Access Complaint**

**\*\*\* ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT \*\*\***

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Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060 - 0874.

In addition, the information that consumers provide when filling out FCC Form 2000 is covered by the system of records notice, FCC/CGB-1, Informal Complaints and Inquiries File (Broadcast, Common Carrier, and Wireless Telecommunications Bureau Radio Services). The Commission is authorized to request this information from consumers under 47 U.S.C. 206, 208, 301, 303, 309(e), 312, 362, 364, 386, 507, and 51; and 47 CFR 1.711 et seq.

Under this system of records notice, FCC/CGB-1, the FCC may disclose information that consumers provide as follows: when a record in this system involves a complaint against a company, the complaint is forwarded to the defendant who must, within a prescribed time frame, either satisfy the complaint or explain to the Commission and the complainant its failure to do so; where there is an indication of a violation or potential violation of a statute, regulation, rule, or order, records from this system may be referred to the appropriate Federal, state, or local agency responsible for investigating or prosecuting a violation or for enforcing or implementing the statute, rule, regulation, or order; a record from this system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit; a record on an individual in this system of records may be disclosed, where pertinent, in any legal proceeding to which the Commission is a party before a court or administrative body; a record from this system of records may be disclosed to the Department of Justice or in a proceeding before a court or adjudicative body when: (a) the United States; the Commission, a component of the Commission, or, when represented by the government, an employee of the Commission is a party to litigation or anticipated litigation or has an interest in such litigation, and (b) the Commission determines that the disclosure is relevant or necessary to the litigation; a record on an individual in this system of records may be disclosed to a Congressional office in response to an inquiry the individual has made to the Congressional office; a record from this system of records may be disclosed to GSA and NARA for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall not be used to make a determination about individuals.

In each of these cases, the FCC will determine whether disclosure of the information in this system of records notice is compatible with the purpose for which the records were collected. Furthermore, information in this system of records notice is available for public inspection after redaction of information that could identify the complainant or correspondent, i.e., name, address and/or telephone number.

**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507 AND THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. SECTION 552a(e)(3).**



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Consumer & Governmental Affairs Bureau  
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**OFFICIAL**  
**NOTICE OF INFORMAL COMPLAINT**

November 27, 2012  
(HOLMES) (WKOW)  
FCC Case No. 12-C00436053-1

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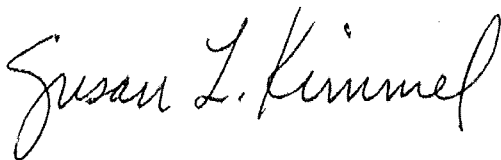
Please provide the complainant's name and the complaint number at the top of your response. A company that receives and responds to informal complaints electronically **must** submit its responses to the Commission via the FCC website using its DRO log-in. If your company does not receive and respond to informal complaints electronically via the FCC website, you must file a hard copy of your response with the Disability Rights Office of the Federal Communications Commission at 445 12th St., SW, Washington, D.C. 20554. Only if you are required to file a hard copy, please also send a courtesy electronic copy of the response to [DROinquiries&complaints@fcc.gov](mailto:DROinquiries&complaints@fcc.gov) which will expedite processing.

You are further directed to send a copy of your response to the complainant at the time that you forward the response to the Commission. To ensure that your response is received by the complainant in an accessible format, please send it pursuant to the preferred format or method of response indicated by the complainant on the complaint form. Finally, your company is directed to retain all records that are or may be pertinent to the allegations raised in each complaint until final Commission disposition of the complaint at issue.

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If you have any questions regarding this Notice, please call the DRO inquiries and complaints assistance line at 202-418-7020 or write to [DROinquiries&complaints@fcc.gov](mailto:DROinquiries&complaints@fcc.gov). To ensure that we can adequately respond to your inquiry, please provide the names of the complainant and your company, the complaint number, and the specific questions that you would like to have answered.

Sincerely,



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

# CARRIER RESPONSE COVER PAGE

**COMPLAINT # :** 12-C00436053-1

**CARRIER :** WKOW

**CONSUMER NAME :** HOLMES



**Carrier Instructions:** To better assist the FCC in ensuring that carrier responses are attached to the correct complaint, this cover page has been provided to you for responding to the complaint referenced above. Please ensure that this page precedes your response to this complaint. If you have any questions, please contact your FCC POC.

**FCC Instructions:** When scanning the carrier's response, select file type "Carrier Response" and upload file to the complaint # noted above.

**Complaint Summary: 12-C00436053-1**

**Date Served :** 11/27/2012

**Response Due Date :** 12/27/2012

**Carrier :** WKOW

**Form Type :** 2000C

**Consumer Name :** HOLMES, PAM

**Complaint Submission Date:** 10/26/2012

**Complaint Type:** Cable

**Complaint Category:** Disability

**Complaint Sub-Category:** Closed Captioning

User Complaint Key: 12-C00436053

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Carrier: WKOW

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Form 2000C – Disability Access Complaint

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**Consumer's Information:**

First Name: **Pam** Last Name: **Holmes**

Company Name:

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

Post Office Box Number:

(Official Post Office box Number Only)

Address 1: **7136 East Pass** Address 2:

Mailing Address (where mail is delivered)

City: **Madison** State: **WI** Zip Code: **53719**

Telephone Number (Residential or Business):

E-mail Address: **Pamuti@aol.com**

Are you filing information on behalf of another party, such as client, parent, spouse or roommate?:

**No**

If yes, complete items a through h.

- a. Your relationship with the party:
- b. The party's first name:
- c. The party's last name:
- d. The party's daytime phone number:
- e. The party's street address or post office box number:
- f. City:      State:      Zip Code:
- g. E-mail address:
- h. Fax Number:

**IMPORTANT:** Please indicate the preferred format or method of response to the complaint by the Commission and defendant: **Letter** , , **Internet E-mail**

**Form 2000C – Disability Access Complaint**

**\*\*\* ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT \*\*\***

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

**Closed Captioning**

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

Name: **Wkow 27**

City: **Madison** State: **WI** Zip Code: **53719**

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) : **10/26/2012 08:00 PM**

and any details of when the event or action you are complaining about occurred:

**10/26/12 8-9 pm CT the US Senate debate between Tommy Thompson and Tammy Baldwin had no captions present for the entire broadcast. I changed the channel to confirm captions were working on other channels and back again to confirm no captions for this important debate. Is this not 2012 and caption access required?**

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:

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

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

6. If your complaint is about video description or closed captioning on television, provide the following:

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:

**Form 2000C – Disability Access Complaint**

**\*\*\* ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT \*\*\***

- d. If you pay to receive television programming, type of subscription service (e.g., cable, Satellite):
- e. If you pay to receive television programming, name of the company to whom you subscribe:
- f. Name of program(s) involved:

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 complainant 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: **I expect a fully captioned CD copy of the US debate to watch prior to the elections on Nov 6th to be an informed voter. A copy of transcripts is not sufficient as there was additional information conveyed in body language and mannerisms of the candidates which I would like to match up with whatever they were saying at that time. I expect an explanation as to why this broadcast was not captioned and an apology for such incidence.**

You may submit this form over the Internet at <http://www.fcc.gov/cgb/complaints.html>, by e-mail to [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov), by fax to 1-866-418-0232, or by postal mail to:

Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Consumer Complaints  
445 12th Street, SW  
Washington, D.C. 20554

In addition, you may submit your complaint over the telephone by calling 1-888-CALL-FCC or 1-888-TELL-FCC (TTY). If you choose to submit your complaint over the telephone, an FCC customer service representative will fill out an electronic version of the form for you during your conversation. If you have any questions, feel free to contact the FCC at 1-888-CALL-FCC or 1-888-TELL-FCC (TTY).

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**Form 2000C – Disability Access Complaint**

**\*\*\* ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT \*\*\***

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In addition, the information that consumers provide when filling out FCC Form 2000 is covered by the system of records notice, FCC/CGB-1, Informal Complaints and Inquiries File (Broadcast, Common Carrier, and Wireless Telecommunications Bureau Radio Services). The Commission is authorized to request this information from consumers under 47 U.S.C. 206, 208, 301, 303, 309(e), 312, 362, 364, 386, 507, and 51; and 47 CFR 1.711 et seq.

Under this system of records notice, FCC/CGB-1, the FCC may disclose information that consumers provide as follows: when a record in this system involves a complaint against a company, the complaint is forwarded to the defendant who must, within a prescribed time frame, either satisfy the complaint or explain to the Commission and the complainant its failure to do so; where there is an indication of a violation or potential violation of a statute, regulation, rule, or order, records from this system may be referred to the appropriate Federal, state, or local agency responsible for investigating or prosecuting a violation or for enforcing or implementing the statute, rule, regulation, or order; a record from this system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit; a record on an individual in this system of records may be disclosed, where pertinent, in any legal proceeding to which the Commission is a party before a court or administrative body; a record from this system of records may be disclosed to the Department of Justice or in a proceeding before a court or adjudicative body when: (a) the United States, the Commission, a component of the Commission, or, when represented by the government, an employee of the Commission is a party to litigation or anticipated litigation or has an interest in such litigation, and (b) the Commission determines that the disclosure is relevant or necessary to the litigation; a record on an individual in this system of records may be disclosed to a Congressional office in response to an inquiry the individual has made to the Congressional office; a record from this system of records may be disclosed to GSA and NARA for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall not be used to make a determination about individuals.

In each of these cases, the FCC will determine whether disclosure of the information in this system of records notice is compatible with the purpose for which the records were collected. Furthermore, information in this system of records notice is available for public inspection after redaction of information that could identify the complainant or correspondent, i.e., name, address and/or telephone number.

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Federal Communications Commission  
Consumer and Governmental Affairs Bureau  
Disability Rights Office  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

ELECTRONIC INFORMAL COMPLAINT AND RESPONSE PROCESS


We are pleased to inform you of the Consumer Complaint Management System's (CCMS) Electronic Complaint and Response process. It is a web-based system that does not require any special software or equipment on the part of users. The attached CCMS Carrier Manual provides Carriers with the procedure to receive and respond electronically to an informal complaint that has been served by the FCC. The manual is easy to follow and the CCMS system is user friendly. Weekly serves are processed and uploaded on Wednesday afternoons and are available to view and download on Thursday mornings.

Please review and share the document with those on your staff who may use this system. After reviewing the attached manual, we request that you follow the instructions in order to immediately participate in the electronic process.

We look forward to your participation and we will work together to address any questions you may have regarding its use.

If you have any questions or concerns, please call the DRO inquiries and complaints assistance line at 202-418-7020 or write to [DROinquiries&complaints@fcc.gov](mailto:DROinquiries&complaints@fcc.gov).

Sincerely,



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

Attachment(s)



**FEDERAL COMMUNICATIONS COMMISSION**

1270 FAIRFIELD RD.  
GETTYSBURG, PA 17325-7245

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300



US POSTAGE  
**\$ 01.90**



Mailed From 17325  
11/23/2012  
031A 0005181107

**WKOW  
Brady Dreasler  
P.O. Box 909  
Quincy, IL 62306**

