



August 27, 2004

Via Hand Delivery

Consumer Inquiries & Complaints Division
Consumer & Governmental Affairs Bureau
Federal Communications Commission
445 12th Street, S.W., Suite CY-B523
Washington, D.C. 20554

Attention: Martha E. Contee, Chief, Consumer Inquiries & Complaints Division,
Consumer and Governmental Affairs Bureau

Re: Notice of Informal Complaint (NOIC) – Disabilities Related
FCC No. 04-N92747, Vincent and Pam Holmes, et al.
Lack of Access to Emergency Information in Video Programming

Dear Sir/Madam:

This letter is written on behalf of WKOW Television, Inc, licensee of station WKOW-TV, Madison, Wisconsin (WKOW) to respond to the above-referenced Notice of Informal Complaint (“NOIC”) issued by the Consumer Inquiries & Complaints Division on July 12, 2004.¹ The NOIC concerns a complaint filed by Vincent and Pam Holmes, et al. (“Complainants”), alleging that WKOW violated Section 79.2 of the Commission’s rules regarding the accessibility of emergency information programming, during the evening of June 24, 2004.

As an initial matter, WKOW notes that it takes great pride in its coverage of local news and weather events and believes it to be its most important service and duty to the community. In this regard, WKOW received several complimentary e-mails from its viewers concerning its coverage of the weather events raised in the NOIC.² Importantly, WKOW has taken a special interest in ensuring that the deaf and hearing impaired have access to this programming. WKOW is the only local commercial broadcaster that participates in WISCAP, a United States Department of Education funded program designed to improve access to programming for the deaf and hearing impaired. In this regard WKOW, in cooperation with hearing impaired associations such as the Wisconsin Association of the Deaf and Shhh of Wisconsin, helps to provide interested persons with the skills necessary to provide real-time open captioning services. In fact, WKOW

¹ The NOIC is attached at Exhibit 1. WKOW notes that it requested and was granted a two week extension of time in which to respond to the informal complaint raised in the NOIC.

² See attached e-mail from viewers at Exhibit 2.

currently provides the only real-time open captioned local news programming in the market with its live 10:00 p.m. news program. As such the allegations raised by the Complainants regarding its coverage of severe weather events are of great concern to WKOW.

Section 79.2 of the Commission's rules requires that emergency information that is provided in the audio portion of programming must be made accessible to the deaf or hard of hearing through either closed captioning or other methods of visual presentation.³ Other methods include open captioning, crawls or scrolls that appear on the screen. As discussed further below, on the evening in question WKOW covered the storm that threatened viewers in the Madison area extensively, provided multiple "visual alerts" and employed various methods to ensure that emergency information was accessible to the deaf and hearing impaired.

On the evening of June 23, 2004⁴, tornadoes and severe thunderstorms passed through the WKOW viewing area. WKOW began its coverage of the severe weather affecting its viewers at approximately 6:40 p.m. and continued its coverage through the duration of the severe weather event. In addition to its EAS equipment, WKOW maintains a WxWarn system that readily conveys visual emergency information during severe weather events. The WxWarn system was operational and utilized during the time period noted by the Complainants. As demonstrated in the attached chronology of events⁵ and corresponding videotape⁶, on the evening of June 23rd, WKOW provided numerous visual alerts in the form of severe weather crawls, a weather graphic, and live weather reports (that included graphic presentations of the locations affected by the severe weather) to notify its viewers, including members of the deaf and hearing impaired community, that severe weather was approaching. The visual alerts identified details regarding the nature of the severe weather, the areas that would be affected, and instructions regarding where to take shelter from the threatening weather.

During the time period cited by Complainants, the WKOW broadcast included in the lower left corner of the screen, a WXWarn color coded graphic presentation of the areas affected by the severe weather which dissolved into a live Doppler radar graphic every five seconds. This graphic, remained on screen continuously from 6:40 until 8:20 and was accompanied by: (1) eighteen WXWarn severe weather crawls that appeared at the bottom of the screen, identifying affected counties and notifying viewers to stay tuned for further details, (2) six full screen graphic cut-ins wherein a meteorologist zoomed and circled major storm areas on Doppler radar, (3) an Emergency Alert System ("EAS") crawl announcing tornado warnings and affected counties, which scrolled across the top of the screen, and (4) a full screen graphic textual message notifying viewers that a tornado had been reported in the viewing area and that viewers should take shelter.

Between 8:20 through 8:45 p.m. WKOW broadcast live with an anchor and meteorologist. WKOW did not have the capacity to open caption the audio from the live

³ 47 C.F.R. 79.2 (2003).

⁴ There was no severe weather in the WKOW-TV viewing area on June 24, 2004. WKOW assumes the complaint refers to the weather events that occurred the previous day.

⁵ See Exhibit 3.

⁶ See Exhibit 4.

broadcast.⁷ However, during this time period emergency information regarding the storm and its location was also conveyed to viewers via (1) a large real-time Doppler radar graphic, with a meteorologist zooming and circling major storm areas on the radar, which on occasion, was replaced with live cut away shots of the weather outside the studio, (2) two EAS crawls announcing tornado warnings and affected counties, which scrolled across the top of the screen, and (3) another full screen graphic textual message notifying viewers that a tornado had been reported in the viewing area and that viewers should take shelter.⁸

Section 79.2 of the Commission's rules requires that emergency information that is provided in the audio portion of programming must be made accessible to the deaf or hard of hearing through either closed captioning, open captioning, crawls or scrolls that appear on screen. As discussed above and evidenced in the enclosed chronology of events and videotape, WKOW broadcast numerous visual alerts and employed several various methods to ensure that the deaf and hearing impaired had access to important emergency information concerning the severe weather that impacted the WKOW viewing area on June 23, 2004. Accordingly, WKOW respectfully submits that its procedures fully comply with the Commission's rules regarding access to emergency information in video programming.

As noted above, WKOW is currently engaged in several activities designed to ensure access to emergency information to persons with hearing disabilities. WKOW will continue to work with the deaf and hearing impaired community to ensure that its access to important emergency information is safeguarded and welcomes suggestions from the community on ways in which it can improve this vital service.

Sincerely,



Robert E. Miller
WKOW-TV
Vice-President and General Manager

cc: Martha E. Contee, Chief, Consumer Inquiries & Complaints Division, Consumer and Governmental Affairs Bureau (via e-mail w/o Exhibit 4);
Pam and Vincent Holmes, Complainant (via certified mail w/o Exhibit 4);
Ann and Jack R. Cassell, Complainant (via certified mail w/o Exhibit 4);
Lilah Katcher, Complainant (via certified mail w/o Exhibit 4);
Ann and Steve Geier, Complainant (via certified mail w/o Exhibit 4);
David and Jovita Brody, Complainant (via certified mail w/o Exhibit 4).

⁷ The real-time open captioning service utilized by WKOW for its 10:00 news, however, began captioning at 9:30.

⁸ It should also be noted that these actions were undertaken while the station and its personnel were being threatened by these severe weather conditions.

Exhibit 1



Federal Communications Commission
Washington, D.C. 20554

July 12, 2004

WKOW-TV Channel 27 (ABC)
5727 Tokay Boulevard
Madison, Wisconsin 53719

Attention: Bob Miller, General Manager

Re: **Notice of Informal Complaint (NOIC) -- Disabilities Related**
FCC No. 04-N92747, Vincent and Pam Holmes, et al.

Lack of Access to Emergency Information in Video Programming

Dear Mr. Miller:

The Federal Communications Commission (FCC) has received a complaint about captioning from Mr. & Mrs. Vincent and Pam Holmes of Verona, Wisconsin. Their complaint alleges lack of access to critical details when providing emergency and news information during a recent tornado advisory situation. The complaint is submitted also on behalf of seven other individuals: Ann & Jack R. Cassell, Lilah Katcher, Ann & Steve Geier, and David & Jovita Brody.

Specifically, the complainants allege:

Lack of Access to Critical Details

On June 24, 2004, between 7:00 and 8:45 p.m., televised tornado advisories lacked required visual alerts letting those with hearing loss know exact details of the storm's path and danger when storm warnings were shared with the general public. High-tech GIS maps remained on the screen as the voice-over described safety precautions and traced the path of the funnel clouds. We flipped channels searching for the captions of the lengthy verbal warnings that some of us could "hear" but not discern what was being said. However, we saw no sign of mandatory emergency visual indicators. If they were present on the screen, it was for too short a time to be of any practical benefit, as none of us noted it.

Complainants state: "We all live within a half block to seven miles of this tornado's most damaging path." ... "Our needs and those of many others were overlooked. Our lack of knowledge and preparedness was not acceptable."

Remedies Requested

1. Videotape copy of the evening's broadcast on June 24th, 2004.
2. Assurance of increased commitment to provide closed captioning or other means to convey meaningful detail for all emergency alerts.
3. Assurance that proper equipment to readily convey such visual information is owned and ready for use.

The enclosed complaint has been filed with the Commission pursuant to Section 305 of the Act, 47 U.S.C. §305, and Section 79.2 et seq. of the Commission's Rules, 47 C.F.R. § 79.2 et seq. Upon receipt of this Notice, a letter acknowledging your company's receipt of this Notice and of the complaint should be sent to the complainants at the mailing addresses indicated below.

We are forwarding a copy of the complaint record 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 the complaint and summarize the actions taken by your company to satisfy the complaint. Your company's response to the complaint must be filed with the Commission in writing within **THIRTY** days of the date of this Notice.

The original of your response should be sent to the Consumer Inquiries & Complaints Division, Consumer & Governmental Affairs Bureau, Federal Communications Commission, 445 12th Street S.W., Suite CY-B523, Washington, D.C. 20554. Due to heightened security measures undertaken at this agency, and in Washington, D.C., and likely consequent delays in mail handling, an electronic copy of your response to the FCC should be sent also via Email to Jenifer.Simpson@fcc.gov. Your company is further directed to send a copy of its response to the complainant at the same time the response is sent to the Commission.

Your company is directed to retain all records which may be relevant to the complaint until final Commission disposition of the complaint.

File Number
FCC No. 04-N92747

Complainants
Vincent and Pamela Holmes
600 Aspen Avenue
Verona, WI 53593
Email pamuti@aol.com

Ann & Jack R. Cassell
625 Basswood Avenue
Verona, WI 53593
Email jack75cassell@tds.net

Lilah Katcher
206 S. Bassett Street
Madison, WI 53703
Email lkatcher@aol.com

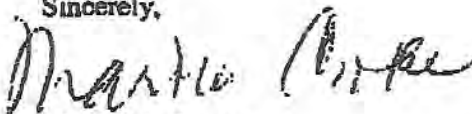
Ann & Steve Geier
322 Marinette Terrace
Madison, WI 53711
Email ann.geier@dot.state.wi.us

David & Jovita Brody
622 Charles Lane

Madison, WI 53711
dvbrody@ameritech.net;

A full response to the allegation is expected.

Sincerely,



Martha E. Contee
Chief, Consumer Inquiries & Complaints Division
Consumer & Governmental Affairs Bureau

Attachment

COMPLAINT FOR VINCENT AND PAM HOLMES ET AL.

Complaint Type: Broadcast

Account Type: Residential

Congressional Complaint

IC Number:	04-N92747	Case Type:	Complaint
Date Received:	07/02/2004	Complainant:	Vincent And Pam Holmes Et Al.
Date Entered:	07/07/2004	Date Assigned:	07/07/2004
Entered By:	Jenifer Simpson	Date Reassigned:	
Assigned To:	Jenifer Simpson/FCCIN	Service Date:	
Date Closed:		Response Date:	08/12/2004
Closed By:		Original Analyst:	
Close Letter Needed?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Purged By:	Purged Date:
		Removed By:	Removed Date:

Current Status: Pending Further Information

Complaint Summary:

Via email from pamuti@aol.com

July 2, 2004

Dear FCC Personnel:

Please find attached our formal complaint against the Madison, WI TV stations WISC-TV3, WKOW TV 27, and WMTV Channel 15. We ask that you take expedite action to request videotapes of their June 24, 2004 evening broadcastings to substantiate our claim of lack of emergency access as a dangerous tornado swept through our community.

Kindly confirm receipt of this complaint at your soonest convenience.

Sincerely, Pam Holmes

filing on behalf of those joining the complaint:

Vincent Holmes, Ann and Jack R. Cassell, Lilah Katcher, Ann & Steve Geier, David and Jovita Brody.

(Add'l info from attached word document) ...

July 2, 2004

Federal Communications Commission
Consumer & Governmental Affairs Bureau
445 12th Street, SW
Washington, DC 20554

Dear FCC Enforcement Officers and Personnel of Madison's local TV stations:

This complaint is being filed against local Madison TV stations WISC-TV 3, WKOW TV 27, and WMTV Channel 15 on behalf of the undersigned parties in regard to violation of the Accessibility of Programming Providing Emergency Information - 47 C.F.R. § 79.2 on the evening of June 24, 2004.

Televised tornado advisories on these stations lacked required visual alerts letting those with hearing loss know exact details of the storm's path and danger. We are filing this complaint as deaf community members who live in close proximity to this storm's path. It is our understanding that, "in the case of persons who are deaf or hard of hearing, emergency information that is provided in the audio portion of programming must be provided either using closed captioning or other methods of visual presentation, such as open captioning, crawls, or scrolls that appear on the screen." (FCC Fact Sheet at <http://www.fcc.gov/cgb/consumerfacts/emergencyvideo.html>)

All of us were viewing TV at various points between 7:00 PM and 8:45 PM, when storm warnings were shared with the general public. We were appalled to find all three of these stations not in compliance with these requirements. A funnel cloud took a cruel spin near our homes and workplaces. Sirens pierced the air and people turned to their radios and televisions to hear the warnings and advisories. But despite the FCC Emergency Captioning regulations adopted in April 2000, deaf and hard of hearing citizens were left without critical information. High-tech GIS maps remained on the screen as the voice-over described safety precautions and traced the path of the funnel clouds. We flipped channels searching for the captions of the lengthy verbal warnings that some of us could "hear" but not discern what was being said. However, we saw no sign of mandatory

emergency visual indicators. If they were present on the screen, it was for too short a time to be of any practical benefit, as none of us noted it.

When the Emergency TV regulations were first passed, a group of us sent a copy of the press announcement and Fact Sheet to each of the TV stations cited in this filing. In addition, when the FCC released a public reminder to all broadcasters, we once again proactively sent a copy of the FCC public notice, wishing to be assured our community members would be protected. Yet when the tornado hit last week, TV stations still neglected the fact that we were in the viewing audience and needed this information to stay out of harm's way.

We ask that the FCC promptly request video copies of each station's broadcasting the evening of June 24th to verify our findings of dismal emergency warning notice. At minimum, we expect assurance of increased commitment from Wisconsin TV stations to provide closed captioning or other means to convey meaningful detail for all emergency alerts, and assurance the proper equipment to readily convey such visual information is owned and ready for use by the named stations.

We all live within a half block to seven miles of this tornado's most damaging path. One deaf viewer, Pam Holmes, watched the "after the storm live reports" at approximately 9:45 PM all of which were not captioned, noting pictures of downed trees yet not recognizing the location. You can imagine this viewer's surprise as she drove down Science Drive in the University Research Park to reach her office to find the road totally blocked by downed trees from the June 24th storm. Another viewer, the Geiers live less than a half mile from the most severely hit area. The Brodys, who have a month-old baby and another child under 5, live less than a block from where the funnel cloud hit. Our needs and those of many others were overlooked. Our lack of knowledge and preparedness was not acceptable.; Thank you in advance for your prompt attention to this filed complaint.

Sincerely,

Pam & Vincent Holmes

600 Aspen Ave.; Verona, WI 53593; pamuti@aol.com

Ann & Jack R. Cassell; 625 Basswood Ave; Verona, WI 53593 jack75cassell@nds.net

Lilah Katcher; 206 S Bassett St.; Madison, WI 53703; lkatcher@aol.com

Ann & Steve Geier; 322 Marinetta Tr.; Madison, WI 53711 ann.geier@dot.state.wi.us

David & Jovita Brody; 622 Charles Lane; Madison, WI 53711; dvbrody@amaritech.net;

cc: WISC-TV 3; WKOW TV 27; WMTV Channel 15 ; WI State Senator Jon Erpenbach; U.S. Congresswoman Tammy Baldwin

Exhibit 2

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View Feedback

For **General Feedback**
From Bonnie Hemming

Posted on Thursday, 06-24-2004 at 7:22 am by Bonnie Hemming murphy0@tds.net.

Just a note to thank you for captioning your storm coverage last nite. Even the remote coverage was captioned and I really appreciate that. Though I live in Monroe WI and we had a nice evening, I have relatives living in Madison so your coverage the one I watched exclusively. Thanks again and keep up the good work! Bonnie

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View Feedback

For rlindmeier@wxc.com
From Tarah Huntley

Posted on Wednesday, 06-23-2004 at 11:28 pm by Tarah Huntley localcrisis@yahoo.com.

Thanks so much for your excellent coverage of tonight's storm. You were there from beginning to end.

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View Feedback

For **Weather Department**
From shelly volsche

Posted on Thursday, 06-24-2004 at 9:56 am by shelly volsche shellyv@charter.net.

I was amazed at the coverage and quick return of your station during last nights storm!

My husband and I have been somewhat of stormchasers for a long time, and have some pretty amazing pictures. Last night you mentioned reports from trained weather spotters...where and how can a person be trained for this?

Thanks so much, and keep up the good work!

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View Feedback

For Weather Department
From Melissa

Posted on Thursday, 06-24-2004 at 9:57 am by Melissa melissa@abdsorceone.com.

You guys did a great job yesterday 6-23 with the weather, My family and I live in Janesville and were very appreciative that you stayed on the air even as the storms left madison!! Thank You!!!

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View Feedback

For **General Feedback**
From Lisa Livingston

Posted on Friday, 06-25-2004 at 9:26 pm by Lisa Livingston lmilivingston@facstaff.wisc.edu.

My daughter and I want to thank Channel 27 for staying on the air during the storm earlier this week. When other Madison channels switched over to network programming, Channel 27 and the remarkable Bob Lindmeier focused on the weather that helped keep our community safe. Such commitment to community is what makes community strong and sound. We appreciate your efforts and send a special thanks to Mr. Lindmeier and the considerable expertise he shares with the viewer!!

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View Feedback

For General Feedback
From Marcia Livingston

Posted on Wednesday, 06-23-2004 at 10:09 pm by Marcia Livingston lusciouslady6962@aol.com.

I was watching 27 on Wednesday night when you were brodcasting the weather updates and all of sudden everyone took off for the basement.I think this will hopefully let people in the Madison and surrounding areas know that when these alerts go out it's for real and people are not immune from Mother Nature,not even a Tv station. Good job.You are my favorite station and Bob does a great job keeping us up to date on whats happening even if he has to take off himself.Glad to see everyone is safe.Keep up the good work. Marcia Livingston,Madison,Wisc

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View Feedback

For **General Feedback**
From KELLY RYGH

Posted on Friday, 06-25-2004 at 1:41 pm by KELLY RYGH INFO@CAMPER-CORRAL.

GREAT JOB ON COVERING THE STORMS. GOOD JOB BOB

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View Feedback

For General Feedback
From Ruth Paulson

Posted on Wednesday, 06-23-2004 at 9:42 pm by Ruth Paulson siants@mac.com.

Wow! Was I impressed with Bob Lindmeier and your crew tonight!!! An outstanding job of covering the weather - while Channel 9 had nothing and Channel 15 was minimal, you were right there "calling" the storm. Thank you so much! We're not that far from the station!

Deb Marquardt

From: Jill Genter [jgenter@wkowtv.com]
Sent: Tuesday, August 03, 2004 2:02 PM
To: Deb Marquardt
Subject: [Fwd: FWD: WKOWTV Viewer Feedback]

----- Original Message -----

Subject:FWD: WKOWTV Viewer Feedback
Date:28 Jun 04 13:18:06
From:sulley@tds.net
To:azobel@wkowtv.com
CC:bobmiller@wkowtv.com, jgenter@wkowtv.com

If this could be passed on to Bob Lindmeier I sure would appreciate it - I wanted to take time to thank Bob and 27 news for the coverage and advanced warning on the tornado. Our home was one of the worst hit and if not for Bob's reporting on the TV, my family might have been severely hurt, or much worse. We'd just come home from a walk and your sky cam shot and radar convinced us to go to the basement and not a moment too soon. It was probaly 2 minutes in the basement and the TV flickered and the tornado hit 27 news - we're about 1.3 miles from the station and I could hear Bob telling people to get down and accounting for everyone when we dove in an interior room and next thing I know, it was on our house. It was there in an instant and then gone. What it left behind will last but thankfully, your advanced warning kept us all safe. Someday I hope to see Bob in person and thank him properly. And thanks to everyone who was there to broadcast. subsequently, we never saw TV coverage as we were without power for 2 days.

<p>

sincerely David Sullivan
602 Gately Terrace

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View Feedback

For General Feedback
From katie ryan

Posted on Sunday, 06-27-2004 at 4:41 pm by katie ryan coolk8t23@yahoo.com.

thank you for walking us through the strong storms last week it was very informative. especially when your home alone with two scared children, thanks again! katie

Exhibit 3

Chronology of Wednesday June 23, 2004

Note: Time code logged from 24 hour time lapse air check is 2 minutes ahead of real time.

18:41:15 - The severe weather key came on air with text stating there was a severe thunderstorm warning for Crawford County and was depicted on the map by being orange. Counties with Severe T-Storm Watches are depicted graphically by being yellow on the map. The key also dissolves between the color key map, live Doppler radar and Doppler track with approximately five seconds in between dissolves.

18:44:00 - A Severe Weather crawl aired from 27 Weather Central, "From 27 Weather Central...The National Weather Service has issued a Severe T-Storm Warning effective until 7:30 PM for Crawford County, a Severe T-Storm Watch effective until 11:00 PM for the counties of Crawford, Grant, Richland, Columbia, Dane, Dodge, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Rock, Sauk, and Wolworth, Severe T-Storm Watch effective until 9:00 PM for Adams and Jefferson Counties...Stay tuned to 27 Weather Central for further details."

Severe Weather key came back on after crawl was finished.

18:59:00 - The previous crawl ran with the exact same information.

Severe Weather key came back on after crawl was finished.

19:05:05 - A new Severe Weather crawl aired from 27 weather central, "From 27 Weather Central...The National Weather Service has issued a Severe T-Storm Warning effective until 8:00 PM for Juneau County, a Severe T-Storm Warning effective until 7:30 PM for Crawford County, a Severe T-Storm Watch effective until 11:00 PM for the counties of Crawford, Grant, Richland, Columbia, Dane, Dodge,

Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Rock, Sauk, and Wolworth, Severe T-Storm Watch effective until 9:00 PM for Adams and Jefferson Counties...Stay tuned to 27 Weather Central for further details.”

A new Severe Weather key came on after crawl. Juneau County was added to the Severe T-Storm Warning text and the map.

19:10:50 – The previous crawl was run from 27 Weather Central again followed by the Severe Weather key again.

19:14:00 – A new Severe Weather crawl was run from 27 Weather Central, “From 27 Weather Central...The National Weather Service has issued a Severe T-Storm Warning effective until 8:15 PM for Adams County, a Severe T-Storm Warning effective until 8:00 PM for the counties of Richland and Juneau, a Severe T-Storm Warning effective until 7:30 PM for Crawford County, a Severe T-Storm Watch effective until 11:00 PM for the counties of Crawford, Grant, Richland, Columbia, Dane, Dodge, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Rock, Sauk, and Wolworth, Severe T-Storm Watch effective until 9:00 PM for Adams and Jefferson Counties...Stay tuned to 27 Weather Central for further details.”

A new Severe Weather key came on after crawl that added Adams and Richland Counties to the Severe T-Storm text and map.

19:14:05 – First Severe Weather Cut-In aired until 19:15:20. The cut-in consisted of live Doppler radar and meteorologist’s voice-over. Meteorologist circled large storms on Doppler.

19:18:50 – A new Severe Weather crawl ran out of 27 Weather Central, “From 27 Weather Central...The National Weather Service has issued a Tornado Warning effective until 7:45 PM for Juneau County, a Severe T-Storm Warning effective until 8:15 PM for Adams County, a Severe T-Storm Warning effective until 8:00 PM for the counties of Richland and Juneau, a Severe T-Storm Warning effective until 7:30 PM for Crawford County, a Severe T-Storm Watch effective until 11:00 PM for the counties of Crawford, Grant, Richland, Columbia, Dane, Dodge, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Rock, Sauk, and Wolworth, Severe T-Storm Watch effective until 9:00 PM for Adams and Jefferson Counties...Stay tuned to 27 Weather Central for further details.”

A new Severe Weather key came on after crawl that included the Tornado Warning in text and in purple on the map.

19:20:15 – The next Severe Weather Cut-in aired until 19:21:30. It consisted of Doppler radar with the meteorologist’s voice-over. The meteorologist circled and zoomed in on the largest storm areas.

19:24:10 – The previously run Severe Weather crawl was ran again with no changes.

19:26:00 – A new Severe Weather crawl was run out of 27 weather central, “From 27 Weather Central...The National Weather Service has issued a Tornado Warning effective until 7:45 PM for Juneau County, a Severe T-Storm Warning effective until 8:15 PM for the counties of Iowa, Sauk, and Adams County, a Severe T-Storm Warning effective until 8:00 PM for the counties of Richland and Juneau, a Severe T-Storm Warning effective until 7:30 PM for Crawford County, a Severe T-Storm

Watch effective until 11:00 PM for the counties of Crawford, Grant, Richland, Columbia, Dane, Dodge, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Rock, Sauk, and Wolworth, Severe T-Storm Watch effective until 9:00 PM for Adams and Jefferson Counties...Stay tuned to 27 Weather Central for further details.”

19:28:00 – A new Severe Weather crawl was run out of 27 weather central, “From 27 Weather Central...The National Weather Service has issued a Tornado Warning effective until 8:15 PM for Adams County, a Tornado Warning effective until 7:45 PM for Juneau County, a Severe T-Storm Warning effective until 8:15 PM for the counties of Iowa, Sauk, and Adams County, a Severe T-Storm Warning effective until 8:00 PM for the counties of Richland and Juneau, a Severe T-Storm Warning effective until 7:30 PM for Crawford County, a Severe T-Storm Watch effective until 11:00 PM for the counties of Crawford, Grant, Richland, Columbia, Dane, Dodge, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Rock, Sauk, and Wolworth, Severe T-Storm Watch effective until 9:00 PM for Adams and Jefferson Counties...Stay tuned to 27 Weather Central for further details.”

A new Severe Weather key came on after the crawl that added Adams County to the Tornado Warning text and on the map.

19:30:50 – A new Severe Weather crawl was run out of 27 weather central, “From 27 Weather Central...The National Weather Service has issued a Tornado Warning effective until 8:15 PM for Adams County, a Tornado Warning effective until 7:45 PM for Juneau County, a Severe T-Storm Warning effective until 8:15 PM for the

counties of Marquette, Iowa, Sauk, and Adams County, a Severe T-Storm Warning effective until 8:00 PM for the counties of Richland and Juneau, a Severe T-Storm Warning effective until 7:30 PM for Crawford County, a Severe T-Storm Watch effective until 11:00 PM for the counties of Crawford, Grant, Richland, Columbia, Dane, Dodge, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Rock, Sauk, and Wolworth, Severe T-Storm Watch effective until 9:00 PM for Adams and Jefferson Counties...Stay tuned to 27 Weather Central for further details.”

A new Severe Weather key came on after the crawl that added Marquette County to the Severe T-Storm Warning text and on the map.

19:34:00 - “From 27 Weather Central...The National Weather Service has issued a Tornado Warning effective until 8:15 PM for Adams County, a Tornado Warning effective until 7:45 PM for Juneau County, a Severe T-Storm Warning effective until 8:15 PM for the counties of Marquette, Iowa, Sauk, and Adams County, a Severe T-Storm Warning effective until 8:00 PM for the counties of Richland and Juneau, a Severe T-Storm Watch effective until 11:00 PM for the counties of Crawford, Grant, Richland, Columbia, Dane, Dodge, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Rock, Sauk, and Wolworth, Severe T-Storm Watch effective until 9:00 PM for Adams and Jefferson Counties...Stay tuned to 27 Weather Central for further details.”

A new Severe Weather key came on after crawl that did not have Marquette included in the Severe T-Storm Warning text or on the map.

19:44:00 – The previous Severe Weather crawl ran again with no new information. Followed by the same Severe Weather key as before.

19:48:00 - “From 27 Weather Central...The National Weather Service has issued a Tornado Warning effective until 8:15 PM for the counties of Iowa, Sauk, and Adams, a Tornado Warning effective until 7:45 PM for Juneau County, a Severe T-Storm Warning effective until 8:15 PM for the counties of Marquette, Iowa, Sauk, and Adams County, a Severe T-Storm.” It was cut off at that point due to the ending of the Tornado Warning in Juneau County at 7:45 PM.

19:48:30 – An Emergency Alert System crawl ran across the top of the screen, “The National Weather Service has issued a Tornado Warning for Iowa County, WI and Sauk County, WI beginning at 7:45 PM and ending at 8:15 PM (WKOW (TV))”. It ran two times in a row.

19:48:55 – “From 27 Weather Central...The National Weather Service has issued a Tornado Warning effective until 8:15 PM for the counties of Iowa, Sauk, and Adams County, a Severe T-Storm Warning effective until 8:15 PM for the counties of Marquette, Iowa, Sauk, and Adams County, a Severe T-Storm Warning effective until 8:00 PM for the counties of Richland and Juneau, a Severe T-Storm Watch effective until 11:00 PM for the counties of Crawford, Grant, Richland, Columbia, Dane, Dodge, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Rock, Sauk, and Wolworth, Severe T-Storm Watch effective until 9:00 PM for Adams and Jefferson Counties...Stay tuned to 27 Weather Central for further details.”

19:49:20 – Another Severe Weather Cut-in aired until 19:50:55. It consisted of Doppler radar and the meteorologist's voice-over. The meteorologist showed the track of the tornado including the times it would path through each town. He also circles the areas that would be in the storm's path.

A new Severe Weather key came on after cut-in that included Iowa and Sauk Counties in the Tornado text and the map as well as not including Juneau County in the Tornado Warning text and map.

19:51:45 – “From 27 Weather Central...The National Weather Service has issued a Tornado Warning effective until 8:45 PM for Marquette County, a Tornado Warning effective until 8:15 PM for the counties of Iowa, Sauk, and Adams County, a Severe T-Storm Warning effective until 8:15 PM for the counties of Marquette, Iowa, Sauk, and Adams County, a Severe T-Storm Warning effective until 8:00 PM for the counties of Richland and Juneau, a Severe T-Storm Watch effective until 11:00 PM for the counties of Crawford, Grant, Richland, Columbia, Dane, Dodge, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Rock, Sauk, and Wolworth, Severe T-Storm Watch effective until 9:00 PM for Adams and Jefferson Counties...Stay tuned to 27 Weather Central for further details.”

A new Severe Weather key came on after crawl that added Marquette County to the Tornado Warning text as well as the map.

19:57:00 – A Severe Weather Cut-in aired until 19:59:05. It consisted of Doppler radar and the meteorologist's voice-over. Meteorologist circled the large storms and indicated their paths on the map.

19:58:55 – The previous crawl ran again with no change in information.

The previous Severe Weather key came on after the crawl.

20:03:55 - “From 27 Weather Central...The National Weather Service has issued a Tornado Warning effective until 8:45 PM for Marquette County, a Tornado Warning effective until 8:15 PM for the counties of Iowa, Sauk, and Adams County, a Severe T-Storm Warning effective until 8:15 PM for the counties of Marquette, Iowa, Sauk, and Adams County, a Severe T-Storm Watch effective until 11:00 PM for the counties of Crawford, Grant, Richland, Columbia, Dane, Dodge, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Rock, Sauk, and Wolworth, Severe T-Storm Watch effective until 9:00 PM for Adams and Jefferson Counties...Stay tuned to 27 Weather Central for further details.”

A new Severe Weather key came on after the crawl, which did not include Richland or Juneau Counties in the Severe T-Storm text, or on the map.

20:08:15 - “From 27 Weather Central...The National Weather Service has issued a Tornado Warning effective until 9:00 PM for Dane County, a Tornado Warning effective until 8:45 PM for Marquette County, a Tornado Warning effective until 8:15 PM for the counties of Iowa, Sauk, and Adams County, a Severe T-Storm Warning effective until 8:15 PM for the counties of Marquette, Iowa, Sauk, and Adams County, a Severe T-Storm Watch effective until 11:00 PM for the counties of Crawford, Grant, Richland, Columbia, Dane, Dodge, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Rock, Sauk, and Wolworth, Severe T-Storm Watch

effective until 9:00 PM for Adams and Jefferson Counties...Stay tuned to 27 Weather Central for further details.”

20:09:00 – An Emergency Alert System crawl ran across the top of the screen, “The National Weather Service has issued a Tornado Warning for Dane County, WI beginning at 8:06 PM and ending at 9:06 PM (WKOW (TV)).” It ran two times in a row.

20:09:10 – A Severe Weather Cut-in aired until 20:11:05. It consisted of Doppler radar and the meteorologist’s voice-over. The meteorologist circled the major storm areas on the map.

A new Severe Weather key came on after the crawl that included Dane County in the Tornado Warning Text and on the map.

20:15:45 - “From 27 Weather Central...The National Weather Service has issued a Tornado Warning effective until 8:45 PM for Green Lake County, a Tornado Warning effective until 9:00 PM for Dane County, a Tornado Warning effective until 8:45 PM for Marquette County, a Tornado Warning effective until 8:15 PM for the counties of Iowa, Sauk, and Adams County, a Severe T-Storm Warning effective until 8:15 PM for the counties of Marquette, Iowa, Sauk, and Adams County, a Severe T-Storm Watch effective until 11:00 PM for the counties of Crawford, Grant, Richland, Columbia, Dane, Dodge, Green, Green Lake, Iowa, Jefferson, Lafayette, Marquette, Rock, Sauk, and Wolworth, Severe T-Storm Watch effective until 9:00 PM for Adams and Jefferson Counties...Stay tuned to 27 Weather Central for further details.”

20:14:45 – Severe Weather Cut-in aired until the 10 PM newscast started. It consisted of Doppler radar again with the meteorologist circling the largest storms.

20:15:55 – A Severe Weather full screen graphic came on air. It stated:

“A tornado has been reported by a person or is imminent due to Doppler radar information. Take cover immediately.” It then switched to:

“A basement is the safest choice to take cover. Mobile homes are not safe! Move to a sturdy permanent structure.” Went back to Doppler radar at 20:16:50.

A new Severe Weather key came on that included Green Lake County in the Tornado Warning text and the map.

20:19:00 – The Severe Weather key was taken off the screen.

20:22:10 – Switched on air control to the control room. Therefore both anchor and meteorologist were giving information. Radar was being cut away to live shots and back to radar off and on for a while.

20:32:20 – An Emergency Alert System crawl ran across the top of the screen. “The National Weather Service has issued a Tornado Warning for Dodge County, WI beginning at 8:31 PM and ending at 9:31 PM (WKOW (TV)). It ran two times.

20:42:40 – Another Severe Weather full screen graphic aired from control room.

It stated: “ A basement is the best choice to take cover. Mobile homes are not safe!

Move to a sturdy permanent structure.” Went back to radar at 20:43:04 with

meteorologist drawing arrows to indicate the path of the storms.

The previous graphic aired again at 21:24:53 and followed again by radar.

21:28:15 – An Emergency Alert System crawl ran across the top of the screen, “The National Weather Service has issued a Tornado Warning for Jefferson County, WI beginning at 9:27 PM and ending at 10:12 PM (WKOW (TV)).

Under my instruction, master control operator Brian Kiley reviewed time-lapse tape and other available documents in preparation of this chronology of events. I have reviewed his work and believe it to be accurate.



Steve Zimmerman Chief Engineer WKOW Television, Inc.

**Exhibit 4
(Video Tape)**