

July 26, 2018

Via Electronic Mail

Ms. Darlene Ewan
2565 Ala Wai Boulevard
Honolulu, HI 96813
canthecant@gmail.com

Re: FCC Official Notice of Informal Complaint Ticket Nos. 2594981, 2604503 and 2604454

Dear Ms. Ewan:

KHNL/KGMB License Subsidiary, LLC, Honolulu, Hawaii (licensee of KHNL(TV) and KGMB(TV), collectively the “Stations”) hereby respond to your closed captioning inquiries which were forwarded by the Federal Communications Commission to the Station with Official Notices of Informal Complaint dated June 26, 2018 (Ticket No. 2594981) and July 5, 2018 (Ticket Nos. 2604503 and 2604454). Your inquiries pertain to the recent spread of Legionnaires’ Disease in Hawaii as well as live news coverage of the eruptions of Kilauea volcano.

We are fully committed to serving all of our viewers and take seriously our obligations under 47 C.F.R. §§ 79.1 and 79.2 to provide closed captioning and accessible emergency information to members of the hearing-impaired community. The segments in question are captioned via the enhanced Electronic Newsroom Technique (“ENT”). While ENT cannot describe live interviews such as the discussion with Dr. Carter on the recent cases of Legionnaires’ Disease discovered on Oahu, stations can, in compliance with FCC regulations, nevertheless provide pertinent information via visual means, including textual information. See 47 C.F.R. § 79.1(e)(11)(i)(D). Throughout that interview, the Station updated the static textual information with nine separate banners that gave pertinent information. This included specific information on the number of cases, how the disease is spread, who is at risk, symptoms and how to prevent the spread of the disease:

- (1) Four cases of Legionnaires’ found - one person has died;
- (2) Legionella bacteria - lives in freshwater around the world;
- (3) Legionella bacteria - spread through water systems;
- (4) Legionnaires’ Disease - people over 50 more susceptible;
- (5) Legionnaires’ Disease - severe pneumonia;
- (6) Prevent spread of Legionella - clean water handling systems regularly;
- (7) Prevent spread of Legionella - clean sinks, showers, hot tubs & fountains;

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- (8) Legionnaires' Disease - smokers more susceptible; and
- (9) Legionnaires' Disease - people with weak immune systems susceptible.

After learning of your most recent inquiries we conducted a complete top-to-bottom review of the stations captioning practices and equipment, including the use of enhanced Electronic Newsroom Technique ("ENT"). This internal review identified technical deficiencies in the transcription of pertinent information that should have been provided in visual and textual format. As of July 9, 2018 we have temporarily suspended ENT operations and, as a result, all news hours have been live captioned. On July 18, all KHNL and KGMB personnel, corporate news leadership and the ENT Coordinator for the Stations participated in an Enhanced ENT refresher training course. The Stations will be carefully monitoring all news operations during the transition back to Enhanced ENT operations.

Critical to our mission is serving the public, both during emergencies and non-emergencies. We greatly appreciate being informed by concerned viewers such as you Ms. Ewan, and we strive to ensure that the programming on the Station remains widely accessible.

Please do not hesitate to contact me with any further questions or concerns. I can be reached by phone at (808)847-9301, or by email at rblangiardi@hawaiinewsnow.com.

Sincerely,



Rick Blangiardi
General Manager
Hawaii News Now (KGMB - KHNL)

cc:

Judy Miller
Disability Rights Office
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554