

November 2, 2018

Ms. Shavonne Morris  
Ms. Sherita Kennedy  
Federal Communications Commission  
Disability Rights Office  
445 12<sup>th</sup> Street S.W.  
Washington, D.C. 20554

**Re: Notices of Informal Complaint**  
**Katrina Beaudin, Ticket Nos. 2785352 and 2758758 (WJLA 24/7 cable channel)**  
**Stephen Clark, Ticket No. 2764751 (WJLA broadcast)**

Dear Ms. Morris and Ms. Kennedy:

At the direction of WJLA in Washington, D.C., Facility ID 1051 and WJLA 24/7 cable channel (collectively, the "Respondents"), this letter responds to the above-referenced Notices of Informal Complaint (collectively, the "Notices"), issued on September 20, 2018 and October 3, 2018 relating to closed captioning on September 8, 2018, September 9, 2018, and September 19, 2018. The Respondents' response is consolidated as the complainants submitted similar complaints.

Following receipt of each of the Notices, I contacted the Respondents' engineer and investigated the complaints. I obtained and reviewed video of the specific news and sports coverage at issue.

On September 6, 2018, the Respondents launched IBM/Watson, an artificial intelligence voice recognition system specifically designed for closed captioning. Although the IBM/Watson system was tested for months prior to launch, at times there was a computing issue which caused delays within one of the IBM/Watson's filters, which then caused the IBM/Watson system to quickly repeat closed captioning. This technological issue, which occurred during the Race for the Cure coverage on September 8, 2018 (Ticket No. 2758758), caused closed captioning to disappear, then reappear as fast and repetitive, however, such occurrence is not indicative of the closed captioning for the entire coverage of the event, nor any other entire newscast or sports program. On September 26, 2018, the Respondents suspended its use of the IBM/Watson system so that IBM and the Respondents could further review and improve certain technological components and settings of its IBM/Watson system. The Station has returned to its prior captioning service for live and near-live captioning.

The computing and resulting delays also occasionally caused the IBM/Watson system to caption words incorrectly. Further, there was an occasional lack of capitalization of certain names. As mentioned above, on September 26, 2018, Respondents suspended its use of the IBM/Watson system so that IBM and the Respondents could further review and improve certain technological components and settings of its IBM/Watson system.

Please be assured that the Respondents are committed to providing quality closed captioning to its deaf and hard of hearing viewers, and compliance with the Commission's rules.

Please contact me if you have any questions or need any further information.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Susan E. Domozych". The signature is fluid and cursive, with a long horizontal stroke at the end.

Susan E. Domozych  
Senior Paralegal

cc: WJLA  
Complainants listed above

## #2764751 WJLA ABC-7 Captioning Quality

**Submitted** September 11, 2018, 3:20 PM  
**Received via** Web Form  
**Requester** Steve20009 <stevec20009@yahoo.com>

**CCs**  
 Sherita Kennedy <sherita.kennedy@fcc.gov>

**Status** Open  
**Type** -  
**Priority** -  
**Group** DRO - Main Form  
**Assignee** Sherita Kennedy

Name of TV program	TV Method	Accessibility Issues	First Name	
WJLA News at 11:00 and ABC7 Sports Sunday	Cable	Closed Captioning on TV	Stephen	
Last Name	State	Zip Code	Time of Issue	Date of Issue
Clark	District of Columbia	20001	11:00 p.m.	Sep 9
Phone (where you can be contacted)	Address 2	TV channel		
202-669-4214	Apt 105	27		
City Where Program was Viewed/Heard	Preferred Method of Response	Network		
Washington	Email	ABC		
Name of Company Complaining About	Call Sign	State Where Program was Viewed/Heard		
Sinclair	WJLA	District of Columbia		
Address 1	City	Filing on Behalf of Someone	Name of Subscription Service	
1001 L Street NW	Washington	No	Comcast/XFINITY	

**Steve20009** Sep 11, 3:20 PM

I am writing to complain about the dramatic drop in quality related to closed captioning on WJLA ABC-7 in Washington, DC. Recent newscasts and local sports highlight program that were once of a high quality are now, at times, indiscernible. There is very little punctuation, and there is no indication of a change of speaker (using > or the name of the speaker.) I understand that WJLA recently switched from realtime captioning performed by a human to Watson Captioning automated speech recognition. The quality of captioning is markedly lower and is not an acceptable accommodation. Thank you.

**Sherita Kennedy** Oct 2, 11:05 AM

Internal note

### OFFICIAL NOTICE OF INFORMAL COMPLAINT

The Federal Communications Commission (FCC or Commission) is serving your company with this informal complaint that Stephen Clark filed with the Disability Rights Office (DRO). The informal complaint concerns obligations to provide closed captioning on television. We are investigating this matter pursuant to Sections 713 and 4(i) of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. §§ 613, 154(i), and Section 79.1 of the Commission's rules, 47 C.F.R. § 79.1.

This Notice of Informal Complaint (Notice or NOIC) directs your company, as the Broadcaster or Multichannel Video Programming Distributor (MVPD), to respond fully and directly to each and every material allegation raised in the informal complaint and summarize the actions taken by your company to satisfy the informal complaint and come into compliance with controlling law within thirty (30) days of the date of this Notice.

Please advise whether your company uses the "Electronic Newsroom Technique" (ENT) to caption its news programming. If so, describe how your company complies with the Commission's enhanced ENT rules (47 CFR § 79.1(e)(11)(i)) for such newscasts. Alternatively, if your company uses real-time captioning for such programming, please describe how those captions are produced, for example, by a captioning service or by using automated speech recognition technology. In addition, describe how your company complies with the Commission's closed captioning quality standards (47 CFR § 79.1(j)). You may include with your response a

recording, such as a DVD or electronic file, of the time(s) and date(s) of the event(s) described in the complaint.

Stations that must provide real-time captions for live programming and stations that may use ENT captions but choose to use real-time captions instead – however real-time captions are produced, for example, by a captioning service or by using automated speech recognition technology – are subject to the Commission's closed captioning quality rules (47 CFR § 79.1(j)).

Stations that are transitioning to the use of captions produced using automated speech recognition technology should do so in a manner that does not subject viewers who rely on closed captioning to the "self-learning" or "training" of the system that may not comply with the Commission's closed captioning standards. Instead, they should begin displaying the captions produced using automated speech recognition technology when they comply with the Commission's closed captioning quality standards.

Please submit your response to the Commission by replying to this email or via the FCC Consumer Help Center. Be sure to verify the complainant's name and the ticket number. In addition, please include the name of a company representative to whom all future correspondence about the complaint should be directed. You are further directed to send a copy of the response to the complainant, in the preferred format requested by the consumer, at the time the response is provided to the Commission. Finally, please retain all records that are or may be pertinent to the allegations raised in the complaint for one year after the date of this Notice, unless otherwise instructed. To prepare your response to this Notice, you should also check the ticket at <https://consumercomplaints.fcc.gov/access> where the complainant may have filed additional complaints or other supporting evidence against your company. These supplemental materials will be associated with the same ticket number.

Failure to respond to a Commission inquiry is considered a violation of a Commission order and can result in the imposition of fines by the Commission. Under section 503(b) of the Act, any person who is determined by the Commission to have willfully or repeatedly failed to comply with any of the provisions of the Act, or any rule or order issued by the Commission under the Act, shall be liable for a forfeiture penalty.

The Commission requests that your company provide a thorough response to the issues raised in this complaint, and that it use its best efforts to resolve this complaint in a timely manner. cursory responses will be rejected. The Commission intends to make consumer complaint data publically available – in both aggregate and individual form yet consistent with the Commission's privacy obligations. This data will include how your company has addressed consumer complaints.

If you have any questions regarding this Notice or the informal complaint, please contact DRO at [DROcarriersupport@fcc.gov](mailto:DROcarriersupport@fcc.gov) or by calling 202-418-2517. In your message, please include your name, your company's name, the ticket number, and your specific questions.

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Support Software by **Zendesk**

## #2758758 WJLA Komen race for the cure

**Submitted** September 8, 2018, 11:16 AM  
**Received via** Web Form  
**Requester** Katrinabeaudin <katrinabeaudin@yahoo.com>

**CCs**  
 Sherita Kennedy <sherita.kennedy@fcc.gov>

**Status** Open  
**Type** -  
**Priority** -  
**Group** DRO - Main Form  
**Assignee** Sherita Kennedy

Company Name	Company Name (Other)	TV Method	TV Issues	First Name	Last Name
Other	1965	Internet	Equipment	katrina	beaudin
State	Zip Code	Phone (where you can be contacted)	Account Number	Address 1	
Illinois	60188	630-681-9145	6306819145	1n072 papworth street	
City	Filing on Behalf of Someone	Contacted Company About Issue			
Carol Stream	No	No			
TV Equipment Sub Issue	Relationship to Company				
Other	Other				

**Katrinabeaudin** Sep 8, 11:16 AM

Station using voice recognition. The captions make no sense.

**Sherita Kennedy** Oct 2, 10:59 AM

Internal note

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