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Todd A. Mayman  
Senior Vice President,  
General Counsel and Secretary

November 9, 2010

**BY OVERNIGHT DELIVERY AND E-MAIL**

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

Re: Station WUSA-TV, Washington, D.C.  
FCC No. 10-C00249322-FC  
Cox Communications & WUSA-TV (Dowling)

Ladies and Gentlemen:

On behalf of Detroit Free Press, Inc., licensee of Station WUSA-TV, Washington, D.C. ("WUSA" or the "Station"), this letter responds to the above-referenced FCC Notice of Informal Complaint dated October 15, 2010 (the "NOIC") concerning a closed captioning complaint ("Complaint") filed by Mr. Tom Dowling ("Complainant") concerning WUSA's broadcast of the CBS program "NCIS" on September 21, 2010 at 8:00 p.m. (the "Program"). Complainant alleges that the captioning "on NCIS program on CBS network" was "garbled". The NOIC requests that WUSA respond to all of the material allegations contained in the Complaint, and the actions taken to satisfy the Complainant. For the reasons discussed herein, WUSA respectfully requests that the Complaint promptly be dismissed or denied.

WUSA is equipped with a Volicon recording device, which records its over-the-air signal, including closed captioning provided with programming. WUSA has reviewed the Volicon recording of the Program and confirmed that closed captioning for the Program was intact, non-garbled, and complete. Complainant states, however, that he received television programming, including the Program, from Cox Communication.<sup>1</sup> WUSA's Director of Technology, Victor Murphy, contacted Cox Cable to investigate the issue and inquired whether the closed captioning Cox received from WUSA's signal was passed through intact and without degradation to Cox subscribers. Cox acknowledged that its equipment receiver for closed captioning malfunctioned by stripping captioning from its standard definition signal transmitted to its subscribers. Cox informed WUSA that it had contacted the caption equipment vendor to correct the malfunction. After WUSA and Cox determined that the malfunction stemmed from Cox's equipment, WUSA continued to follow-up for several days afterward with Cox to ensure that the problem was resolved. Hence, WUSA was not responsible for the garbled captioning during the Program, and WUSA fully complied with its closed captioning obligations as set forth in Section 79.1 of the Commission's

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<sup>1</sup> See Item #6, Page 2, of Form 2000C – Disability Access Complaint portion of the Complaint.

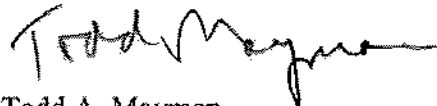
rules, 47 C.F.R. § 79.1.

WUSA takes seriously its responsibility to make network and local programming accessible to all of its viewers, including viewers with hearing impairments, and to fully comply with FCC rules and regulations.

For the foregoing reasons, WUSA respectfully requests that the Complaint promptly be dismissed or denied. It is also respectfully requested that the FCC consider the validity of closed-captioning complaints, including the possibility of cable or satellite pass-through issues, prior to issuing NOICs, which require both respondents and FCC staff to expend valuable time and resources.

Should there be any further questions about this matter, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Todd Mayman", written in a cursive style.

Todd A. Mayman

cc: Allan Horlick, WUSA  
Susan L. Kimmel, FCC  
Francine Crawford, FCC (via e-mail)  
Mr. Tom Dowling