

#714073 Closed captioning issues on ABC 4 in Salt Lake City, UT

Submitted December 17, 2015, 12:58 PM **Received via** Web Form **Requester** Jonathan Roberts <kewlguy@gmail.com>

CCs

Ddavidson <ddavidson@abc4.com>, Sherita Kennedy <sherita.kennedy@fcc.gov>

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

Complaint Internal Status	Name of TV program	Carrier Serve Due Date	Carrier Serve Date	
Carrier Response Received	Local News	Jan 20	December 21, 2015	
Carrier Response Date	TV Method	Accessibility Issues	First Name	Last Name
Jan 20	Cable	Closed Captioning on TV	Jonathan	Roberts
State	Zip Code	Time of Issue	Date of Issue	Phone (where you can be contacted)
Utah	84062	5:15 pm	December 14, 2015	801-783-5657
TV channel	City Where Program was Viewed/Heard	City of Company Complaining About		
4	Sandy	Salt Lake City		
State of Company Complaining About	Preferred Method of Response	Network		
Utah	Email	ABC		
Name of Company Complaining About	Call Sign			
ABC 4 (KTVX and KUCW) / Comcast	KTVX and KUCW			
State Where Program was Viewed/Heard	Address 1	City		
Utah	1442 Ridgemark Dr	Sandy		
Filing on Behalf of Someone				
No				

Jonathan Roberts December 17, 2015, 12:58 PM

(PROCESSED BY CTR 364) Mr. Roberts reports that he has issues with viewing closed captioning on the local news by ABC 4 (KTVX and KUCW) in Salt Lake City, Utah.

For instance, the weather segments are not captioned at all - and there are strange "codes" shown within the closed captions. Mr. Roberts states that his area is in middle of a winter storm, so he wants to emphasize that the lack of captioning during weather segments is not a little problem... It's a BIG problem. A video of these issues can be seen in the video below:

<https://www.youtube.com/watch?v=mK9Obq5EzBQ>

Also, Mr. Roberts feels that the closed captioning should identify the person who is speaking at a specific time. The video below indicates the lack of this:

<https://www.youtube.com/watch?v=X19S8qrssv4>

Furthermore, Mr. Roberts understands that the FCC now requires Enhanced Electronic Newsroom Technique - which requires weather segments to be scripted/captioned.

https://apps.fcc.gov/edocs_public/attachmatch/DA-15-208A1.doc

Mr. Roberts receives his TV programming via Comcast.

Sherita Kennedy December 21, 2015, 9:33 AM

Internal note

OFFICIAL NOTICE OF INFORMAL COMPLAINT

The Federal Communications Commission (FCC or Commission) is serving your company with this informal complaint that Jonathan Roberts 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.

If the programming at issue had been delivered to your company without captions, your company must check with the supplying network or program producer before responding to this Notice to determine whether the programming is exempt from the captioning requirements pursuant to one of the categorical exemptions in 47 CFR §79.1(d) or to an individual petition for exemption filed under 47 CFR §79.1(f). Please note that even if the supplying network or program producer qualifies for a captioning exemption, it still has an obligation to pass through captions of already captioned programs in accordance with 79.1(c).

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 or by calling 202-418-2517. In your message, please include your name, your company's name, the ticket number, and your specific questions.

cc: KTVX-TV and KUCW-TV

Comcast Jan 20, 3:35 PM

Internal note

Please see our response and attachment.

Sherita Kennedy Mar 2, 10:40 AM

Internal note

FURTHER NOTICE OF INFORMAL COMPLAINT

The Federal Communications Commission (FCC or Commission) is serving your company with this informal complaint that Jonathan Roberts filed with the Disability Rights Office (DRO). This further notice 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 Further Notice of Informal Complaint (Notice or NOIC) directs your company as the Broadcaster 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. In particular, please describe the steps the station has implemented to comply with the enhanced ENT requirements mandated by 47 CFR 79.1(e)(11).

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.

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 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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