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May 1, 2024

Mr. Timothy Wynn  
Federal Communications Commission  
Disability Rights Office  
45 L Street NE  
Washington, D.C. 20554

**Re: Notice of Informal Complaint – Roy Trevino  
Ticket No. 6978830**

Dear Mr. Wynn:

At the direction of WOAI in San Antonio, Texas, Facility ID 68618 (the "Station"), this letter responds to the above-referenced Notice of Informal Complaint (the "Notice"), issued on April 24, 2024, relating to closed captioning during the April 19, 2024 *Dateline* NBC network program (the "Program") on the viewer's Roku YouTubeTV app.

Following receipt of the Notice, I reviewed the Station's recorded video of the Program and contacted the Station's Chief Engineer. Within the recording of the Program, I did see a couple of instances in which the closed captioning paused briefly, disappeared, then reappeared and caught up fast, causing the closed captioning to be difficult for a viewer to read. The Station's Chief Engineer confirmed that the Station passed through closed captioning for the Program as received from the NBC network. Further, the Station's Engineer confirmed with NBC that the Program was closed captioned in real-time, and notified NBC about the viewer's concern. As of the date of this letter and to my knowledge, NBC is looking into Mr. Trevino's concern with its closed captioning service provider.

The Station has and continues to comply with the Commission's closed captioning rules.

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

Sincerely yours,



Susan E. Domozych  
Senior Manager/Senior Paralegal

cc: WOAI  
Mr. Roy Trevino

Last Name:

Serve Status: carrier\_response\_pending

Ticket Information:

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**Timothy Wynn** (FCC Consumer Inquires and Complaints)

Apr 24, 2024, 4:53 PM EDT

**Private note**

**OFFICIAL NOTICE OF INFORMAL COMPLAINT**

The Federal Communications Commission (FCC or Commission) is serving your company with this informal complaint that Roy Trevino filed with the Disability Rights Office (DRO). This Notice of Informal Complaint (Notice or NOIC) directs your company to follow the instructions below and respond fully and directly to each issue raised in the informal complaint. In your response, please explain how you have addressed the informal complaint. If you need to take steps to satisfy the informal complaint and come into compliance, please summarize your proposed actions and the timeframe for completion. Your response is due no later than thirty (30) days from the date of this Notice.

The informal complaint concerns obligations to provide closed captioning on television. As your company is either the broadcaster or multichannel video programming distributor (MVPD) we are inquiring into 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 CFR § 79.1. If the complaint concerns the quality of the closed captioning, we remind you that closed captions – no matter how they are produced, for example, by the use of the electronic newsroom technique (ENT), where permitted, by a captioning service, or by using automated speech recognition technology – are subject to the FCC's closed captioning quality standards related to accuracy, synchronicity, completeness, and placement. 47 CFR § 79.1(j). If known, please include in your response how the closed captions at issue were produced. To support a response that asserts that the captioning at issue complies with the closed captioning quality rules, please include with your response a recording, such as a DVD or electronic file, of the broadcasted material at issue as it appeared on the date and time in question.

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 complainant, at the same 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 provided additional supporting evidence against your company.

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 uses its best efforts to resolve this complaint in a timely manner. Cursory responses will be rejected. The Commission may make consumer complaint data publicly available in both aggregate and individual form 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 [DRO@fcc.gov](mailto:DRO@fcc.gov) or by calling 202-418-2517 (voice) or 844-432-2275 (videophone for ASL users). In your message, please include your name, your company's name, the ticket number, and your specific questions. Thank you.

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Disability Rights Office  
Federal Communications Commission

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**Timothy Wynn** (FCC Consumer Inquires and Complaints)

Apr 24, 2024, 4:46 PM EDT

**Private note**