



August 2, 2018

Via Hand Delivery and Electronic Mail

Ms. Sherita Kennedy  
Disability Rights Office  
Consumer & Governmental Affairs Bureau  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: KFVE(TV), Honolulu, Hawaii  
Facility Identification Number 36917  
FCC Informal Complaint Ticket No. 2604413  
Response to Notice of Informal Complaint

Dear Ms. Kennedy:

HITV License Subsidiary, Inc., licensee of KFVE(TV), Honolulu, Hawaii (“KFVE” or the “Station”), hereby responds to the complaint which was forwarded by the Federal Communications Commission to KFVE on July 5, 2018. Specifically, the complaint, dated June 29, 2018 at 1:38 p.m., questions whether KFVE(TV) aired accessible emergency programming at 6 p.m. on May 17, 2018. KFVE takes seriously all viewer comments and concerns regarding the Station’s accessibility services and uses all efforts to review and promptly resolve any complaints. Upon receiving the complaint, Station personnel conducted a thorough investigation of Ms. Ewan’s observations. This response, a copy of which is provided directly to Ms. Ewan, reflects the result of that investigation.

KFVE airs syndicated programs at 6 p.m. on Thursday evenings and to the best of my knowledge we did not air emergency programming at 6 p.m. on May 17, 2018. As part of the complaint process the Station did, however, receive a video clip and after internal review, KFVE determined that the video clip aired as part of the Station’s 6:30 p.m. newscast on May 16, 2018. The Station’s response to the complaint is, therefore, based on a review of the newscast associated with the video clip (*i.e.* the 6:30 p.m. newscast on May 16, 2018).

KFVE is fully committed to serving all of our viewers and we do not take lightly our obligations under the FCC’s rules to provide closed captioning and accessible emergency information to members of the hearing-impaired community. As is permitted under FCC rules, our news coverage is captioned in compliance with the Commission’s rules using the enhanced Electronic Newsroom Technique (“ENT”). However, with the ongoing eruption of the Kilauea volcano and the resulting need to transmit important safety information to our viewers on a timely basis, based on your inquiry and similar inquiries to other stations that KFVE(TV) works

**K5TheHomeTeam.com**

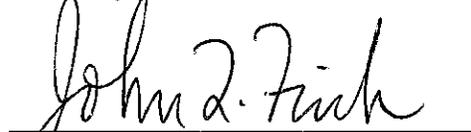
420 Waiakamilo Road | Suite 205 | Honolulu, HI 96817 | Phone 808 847.9375 | Fax 808 847.9315

with to provide news coverage, we moved to live captioning for our newscasts as of July 9 while we work to refine our use of ENT.<sup>1</sup>

Indeed, after we received the complaint from the FCC, we reached out to KHNL(TV) and KGMB(TV) and found that they had received similar complaints. As they noted in their response to the complaints that Ms. Ewan filed regarding their stations, in the interest of providing full information for all viewers, they decided to conduct a complete top-to-bottom review of their stations' captioning practices and equipment, including the use of ENT. This internal review identified some technical deficiencies in the transcription of some information that should have been provided in visual and textual format. Accordingly, in the interest of serving our viewers, on July 9, 2018, KFVE temporarily suspended ENT operations and all news hours since then have been live captioned. Furthermore, on July 18, all relevant personnel from KFVE participated in an enhanced ENT refresher training course. At the appropriate time, the Station will transition back to captioning the local news using the enhanced ENT operations. My staff at KFVE will be carefully monitoring all news operations to ensure that we are providing captions as required by FCC rules.

Please do not hesitate to contact me with any further questions or concerns. I can be reached by phone at 808-847-9328 or by email at [jfink@kfve.com](mailto:jfink@kfve.com).

Sincerely,



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John L. Fink  
General Manager  
KFVE(TV)

cc (via email): Ms. Darlene Ewan

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<sup>1</sup> KFVE has a shared services agreement with KHNL/KGMB License Subsidiary, LLC, Honolulu, Hawaii, licensee of KHNL(TV) and KGMB(TV). KHNL(TV) and KGMB(TV) produce and provide local news programming for KFVE under the name *Hawaii News Now*.