

#5992235 Closed caption

Submitted January 26, 2023 at 11:23 AM
Received via Web Service
Requester

Status Open
Type -
Priority -
Group DRO - Main Form
Assignee Timothy Wynn
Ticket status Open

Complaint Internal Status More Information
Name of TV program Dateline
TV Method Internet

Accessibility Issues

Closed Captioning on TV (from a television station or subscription television provider, for example, cable, fiber optic or satellite)

First Name
Last Name
State Pennsylvania
Zip Code
Time of Issue 9:00 pm
Date of Issue January 20, 2023
City Where Program was Viewed/Heard Pittsburgh
Preferred Method of Response Email
Network NBC
Call Sign WPXI
State Where Program was Viewed/Heard Pennsylvania
Address 1
City
Filing on Behalf of Someone No
TV Channel (New) 11

January 26, 2023 at 11:23 AM

NBC's Dateline closed caption is terribly off that it makes it impossible to follow.

Brian Ulmer January 26, 2023 at 11:23 AM

Internal note

This ticket was cloned from ticket [#5981453](#) : 2023-01-26 11:23:12 AM EST

Timothy Wynn January 26, 2023 at 11:43 AM

Internal note

The consumer reported in ticket [#5981453](#) that "The closed caption is delayed. My internet Wi-Fi is provided by Verizon. The television is an LG smart tv and I am streaming it through Hulu."

Timothy Wynn January 26, 2023 at 11:55 AM

Internal note

OFFICIAL NOTICE OF INFORMAL COMPLAINT

The Federal Communications Commission (FCC or Commission) is serving your company with this informal complaint that 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. 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. We will also inform you if the complainant files additional complaints or provides 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 Timothy Wynn at Timothy.Wynn@fcc.gov or by calling 202-418-0534 (voice) or DRO's ASL line at 844-432-2275 (videophone). In your message, please include your name, your company's name, the ticket number, and your specific questions. Thank you.

Disability Rights Office
Federal Communications Commission

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