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**FOX TELEVISION STATIONS, INC.**

A NEWS CORPORATION COMPANY

**Joseph M. Di Scipio**  
Vice President  
Legal and FCC Compliance

May 24, 2010

**VIA HAND DELIVERY**

Cheryl J. King  
Deputy Chief, Disability Rights Office  
Consumer & Governmental Affairs Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

RECEIVED - FCC

MAY 24 2010

Federal Communications Commission  
Bureau / Office

Re: Howard Sultan  
Case No.: 10-C00215396-FC  
KTTV-TV (Sultan)

Dear Ms. King:

Fox Television Stations, Inc., the licensee of KTTV, Los Angeles, CA ("KTTV"), hereby responds to the Notice of Informal Complaint, as identified above, dated May 15, 2010 ("NOIC"). Mr. Sultan is copied on this letter, thereby notifying him that we have received the inquiry and the results of our investigation. An email correspondence was sent to Mr. Sultan on May 20, 2010 seeking to clarify the date of the captioning issue (copy attached). We have not yet received a response to our date clarification request.

Mr. Sultan, in his inquiry, notes that there was no closed captioning in *Fringe* broadcast at 9:00 p.m. local time on April 29, 2010. (Mr. Sultan's inquiry stated that there was no captioning in *Fringe* on April 29, 2009 – we assume this was a typographical error and that he meant April 29, 2010.) Mr. Sultan was correct that there was no captioning in *Fringe* on April 29, 2010. This is a unique one-time software glitch that was corrected in less than 24 hours.<sup>1</sup> This lack of captioning was confined only to the Fox Television Network provided programming – the rest of the captioning broadcast on the station worked properly. Once the station discovered this software glitch, the problem was resolved in less than 24 hours and no further problem has occurred in the Fox Television Network programming. Consequently, this was a limited, unique, one-time software glitch that was corrected upon discovery prior to any further broadcast of network programming.

<sup>1</sup> The Fox Television Network provided KTTV with a new splicer on April 28, 2010 that was to be used when broadcasting network programming. This splicer was to be eventually installed at all Fox affiliates. KTTV discovered the closed captioning error on April 29, 2010 and worked with the network to resolve the problem. A work around was completed prior to the Fox Television Network programs that aired on April 30, 2010. The splicer has since been removed.

Cheryl J. King  
May 24, 2010  
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Please contact the undersigned if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph M. Di Scipio". The signature is fluid and cursive, with a long horizontal stroke extending to the right from the end of the name.

Joseph M. Di Scipio

cc: Howard Sultan (via email)  
KTTV Public File

## Di Scipio, Joseph

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**From:** Di Scipio, Joseph  
**Sent:** Thursday, May 20, 2010 2:48 PM  
**To:** 'hasultan@hotmail.com'  
**Subject:** Fringe Closed Captioning Inquiry

Mr. Sultan – KTTV is in receipt of your inquiry regarding closed captioning on Fringe (FCC Case No. Case No.: 10-C00215396-FC). In the form you completed to report the issue – the date supplied was 4/29/2009. We believe you meant 4/29/2010.

Could you please confirm the date you had the issue with closed captioning so we can then investigate.

Thank you for your time,

/Joe

Joseph M. Di Scipio  
Vice President, Legal and FCC Compliance  
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