

#4628826 Closed Captioning

Submitted March 17, 2021, 3:23 PM
Received via Web Form
Requester Melody Reese <melody@taosnewmexico.com>

CCs

Closedcaption <closedcaption@qni.biz>, Closedcaption <closedcaption@wpta.com>, Sherita Kennedy <sherita.kennedy@fcc.gov>

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

Company Name	TV Method	TV Issues	First Name	Last Name	State	Zip Code	Phone (where you can be contacted)	Address 1
DIRECTV	Cable	Equipment	Melody	Reese3	Indiana	46764	575-613-0770	7665 West Lincoln Way
City	Filing on Behalf of Someone	First Name (on behalf of)	Last Name (on behalf of)	Your Relationship (on behalf of)	Address (on behalf of)			
Larwill	Yes	Cathaleen	Reese	Mother	7665 West Lincoln Way			
City (on behalf of)	State (on behalf of)	Zip Code (on behalf of)	Contacted Company About Issue	TV Equipment Sub Issue	Relationship to Company			
Larwill	Indiana	46764	Yes	Other	Current Customer			

Melody Reese Mar 17, 3:23 PM

93-year-old mom lives with her and relies on closed caption. Lost closed captioning on ABC and NBC. Called Direct TV and they could not find anything wrong and it's a network broadcast issues Called her WPTA local affiliate to let them know about the closed captioning is not working. They said its working fine. Called DIREC TV again and they said they escalate her case to someone but someone would get back to her.Her resolution is for DIRECT TV to get the closed captioning working ASAP.
 CTR417-phone

Sherita Kennedy Mar 18, 9:41 AM

Dear Melody Reese,

Thank you for filing your complaint with the FCC, however, we need some additional information from you.

- 1 - Call sign/letters of the ABC and NBC stations.
- 2 - Are all the programs on these stations without captions? If not, which programs are?

Sincerely,

FCC - Disability Rights Office

Melody Reese Mar 18, 9:58 AM

Thank you for the fast reply.

1. The ABC station is WPTA and I believe the NBC station is somehow affiliated with WPTA. Here is the website for the local NBC <https://fortwaynesnbc.com/> (https://urldefense.proofpoint.com/v2/url?u=https-3A_fortwaynesnbc.com_&d=DwMFaQ&c=y0h0omCe0jAUGr4gAQ02Fw&r=DE9ErmM0NKrpVuFyWcoK0o3fwwlGdV4oHG44gYf3vY&m=xWjNS3NHw4eQVn4XdXkSROQUcGk-osQ&s=w_m8GRAtaMUwx20DUwVFZmdfZ2rAtihsUqsFi9rO8DU&e=7). On the Direct TV guide it only says NBC for the call letters.

2. Yes, all programs 24/7 on both channels are affected. There are no captions anytime on both of these channels.

Melody Reese

Sherita Kennedy Mar 18, 10:01 AM

Thanks for the additional information.

Sincerely,

FCC - Disability Rights Office

Sherita Kennedy Mar 18, 10:07 AM

Internal note

OFFICIAL NOTICE OF INFORMAL COMPLAINT

The Federal Communications Commission (FCC or Commission) is serving your company with this informal complaint that Melody Reese3 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 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.

Disability Rights Office
Federal Communications Commission

cc: WPTA(TV) c/o Brady Dreasler

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