

Jay DiBartolomeo

From: Judy Miller <Judy.Miller@fcc.gov>
Sent: Friday, April 06, 2018 8:53 AM
To: Jay DiBartolomeo
Subject: RE: Notice of Informal Complaint (NOIC) - Ticket 2172710 - William Larsen (WOAY-TV (Thomas Broadcasting Company))

Good Morning Jay

Thank you.
Have a nice weekend.

Jay

From: Jay DiBartolomeo [mailto:jdibartolomeo@woay.com]
Sent: Thursday, April 5, 2018 4:18 PM
To: Judy Miller <Judy.Miller@fcc.gov>
Cc: rtdibart@woay.com
Subject: RE: Notice of Informal Complaint (NOIC) - Ticket 2172710 - William Larsen (WOAY-TV (Thomas Broadcasting Company))

Judy,

Attached is our response to complaint 2172710. Please let me know if you need any additional information.

Thanks.

Jay

Jay DiBartolomeo
WOAY-TV
PO Box 3001
Oak Hill, WV 25901
Phone: (304) 469-3361

From: Judy Miller [mailto:Judy.Miller@fcc.gov]
Sent: Tuesday, March 06, 2018 5:06 PM
To: jdibartolomeo@woay.com
Subject: FW: Notice of Informal Complaint (NOIC) - Ticket 2172710 - William Larsen (WOAY-TV (Thomas Broadcasting Company))
Importance: High

Hi Jay,

Per our conversation today there was a return delivery of a.bull@woay.com. You mentioned that email is no longer a valid email.

Please update your information in the VPD Database. Please refer to the link below

<https://esupport.fcc.gov/vpd-data/login!input.action>

If you need assistance, please contact the FCC Licensing Support Center at 877-480-3201. They have a dedicated staff of customer service representatives standing by to answer your questions or concerns. Thank you

Judy

Judy Miller
Disability Rights Office
Federal Communications Commission
202-418-1468

From: Judy Miller
Sent: Tuesday, March 6, 2018 1:57 PM
To: 'amarra@woay.com' <amarra@woay.com>; 'a.bull@woay.com' <a.bull@woay.com>
Subject: Notice of Informal Complaint (NOIC) - Ticket 2172710 - William Larsen (WOAY-TV (Thomas Broadcasting Company))
Importance: High

Good Afternoon,

The Disability Rights Office is transitioning from the old complaint system to the new. As an interim measure, we are sending you this email with a Notice of Informal Complaint and the consumer's complaint as attachments. (See Attached) You may reply to the FCC by email, but please send your response to the consumer's method of response on the complaint.

This constitutes a notice of informal complaint filed with the FCC against your company. Your response to the consumer (with a copy to the FCC) is due no later than 30 days from the date of this notice. (See attached) For more information on your legal responsibilities, see <https://us-fcc.app.box.com/complaintnotice>. If you have any questions, regarding this notice, please contact the FCC at carriersupport@fcc.gov. Thank you.

Judy Miller
Disability Rights Office
Federal Communications Commission

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Subject: Response to FCC Complaint

From: "Jay DiBartolomeo" <jdibartolomeo@woay.com>

Date: Thu, Apr 05, 2018 1:28 pm

To: <vadpresident007@yahoo.com>

Attach: Response - Case 2172710.PDF

Dear Mr. Larsen,

Attached is our response to your complaint to the FCC regarding the closed captioning problem that you experienced while watching WOAY-TV. I apologize for the inconvenience that this has caused you. We hope you continue to enjoy the programs and news coverage that we provide. A copy of the attached letter will be mailed to you at the address you provided the FCC. Please do not hesitate to contact me with any additional questions or concerns.

Thank you.

Gerald DiBartolomeo
Executive Vice President
WOAY-TV
PO Box 3001
Oak Hill, WV 25901
Phone: (304) 469-3361

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Thomas Broadcasting Co



BECKLEY • OAK HILL • BLUEFIELD

P. O. Box 3001 / Route 16 South / Oak Hill, WV 25901 • (304) 469-3361 / Fax (304) 465-1420

April 5, 2018

Federal Communications Commission
Consumer and Governmental Affairs Bureau
Disability Rights Office
445 12th Street, SW
Washington, DC 20554

RE: Mr. William Larsen
Case Number 2172710

To Whom It May Concern:

Thomas Broadcasting Co (WOAY-TV) hereby submits its response in this matter.

WOAY is aware of intermittent issues with the closed captioning for some of our programs airing this past January and February. Our engineers were unable to locate the source of the problem, so we hired an independent contractor to evaluate and correct the closed captioning malfunction. He confirmed that the captioning was fully restored once the repairs were completed.

We believe the issues Mr. Larsen experienced on March 3, 2018 is the result of two separate technical issues related to our transmitter. The tube went out and it was replaced on February 24, 2018. We continued to experience difficulties with syncing of audio and video and it was discovered that a module also had to be replaced. Our engineers and independent contractors worked diligently to obtain difficult to find parts and correct these costly repairs. Once completed, both audio and video were transmitting in sync and regular service was restored on March 9, 2018.

We regret any inconvenience our technical difficulties may have caused Mr. Larsen or any of our other valued viewers. As soon as an issue is reported, we attempt to resolve it as quickly as possible to guarantee all customers can enjoy the programming we provide. If there are any future concerns, Mr. Larsen is welcome to contact me via email at jdibartolomeo@woay.com, or by phone at 304-469-3361.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald DiBartolomeo". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gerald DiBartolomeo
Executive Vice President

cc: Mr. William Larsen
609 Fincastle Turnpike
Tazewell, VA 24651



Federal Communications Commission
Washington, D.C. 20554

March 6, 2018

In reply refer to Case number: 2172710
WOAY-TV (Thomas Broadcasting Company) - Larsen

The Federal Communications Commission (FCC or Commission) is serving your company with this informal complaint that William Larsen filed with the Disability Rights Office (DRO). The informal complaint concerns obligations to provide closed captioning on television. We are investigating 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 C.F.R. § 79.1.

This Notice of Informal Complaint (Notice or NOIC) directs your company, as the Broadcaster or Multichannel Video Programming Distributor (MVPD), to respond fully and directly to each and every material allegation raised in the informal complaint and summarize the actions taken by your company to satisfy the informal complaint and come into compliance with controlling law within thirty (30) days of the date of this Notice.

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 consumer, at the 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 other supporting evidence against your company. These supplemental materials will be associated with the same ticket number.

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 use its best efforts to resolve this complaint in a timely manner. cursory responses will be rejected. The Commission intends to make consumer complaint data publically available – in both aggregate and individual form yet 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 DROcarriersupport@fcc.gov or by calling 202-418-2517. In your message, please include your name, your company's name, the ticket number, and your specific questions.

#2172710 Closed Captioning

Submitted January 16, 2018, 8:23 PM
Received via Web Form
Requester Vadpresident007 <vadpresident007@yahoo.com>

CCs
 Judy Miller <judy.miller@fcc.gov>

Status Open
Type -
Priority -
Group DRO - Main Form
Assignee Judy Miller

Complaint Internal Status	Carrier Serve Due Date	Carrier Serve Date	Carrier Response Date			
Carrier Response Received	Mar 23	Feb 21	Feb 17			
Company Name	TV Method	TV Issues	First Name	Last Name	State	Zip Code
Time Warner	Cable	Availability	William	Larsen	Virginia	24651
Phone (where you can be contacted)	Address 1	City	Filing on Behalf of Someone			
276-245-6738	609 Fincastle Turnpike	Tazewell	No			
Contacted Company About Issue	Relationship to Company					
Yes	Current Customer					

Vadpresident007 Jan 16, 8:23 PM

Tonight no CC on Channel 710 7 pm 2 half man.
 Food Channel 50. Fox 57 channel . No CC.

Judy Miller Jan 17, 5:28 PM

Internal note

OFFICIAL NOTICE OF INFORMAL COMPLAINT

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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 consumer, at the 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 other

supporting evidence against your company. These supplemental materials will be associated with the same ticket number.

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The Commission requests that your company provide a thorough response to the issues raised in this complaint, and that it use its best efforts to resolve this complaint in a timely manner. cursory responses will be rejected. The Commission intends to make consumer complaint data publically available – in both aggregate and individual form yet 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 DROcarriersupport@fcc.gov or by calling 202-418-2517. In your message, please include your name, your company's name, the ticket number, and your specific questions.

William C. Wesselman Feb 16, 7:09 PM

Internal note

Please see our response and attachment.

Judy Miller Feb 21, 5:40 PM

Internal note

Good Afternoon,

Your attachment is missing. Please attach your response. Thank you.

Judy Miller
Disability Rights Office

William C. Wesselman Feb 21, 6:03 PM

Internal note

Please see our response and attachment. My apologies for forgetting to attach it initially. Regards, Bill

Judy Miller Feb 26, 5:08 PM

Good Afternoon,

This is in regards to the complaint you filed with the Federal Communications Commission (FCC).

Time Warner/Charter Communications investigated and determined that a configuration issue was affecting the captioning on Channel 50 (The Food Network) and Channel 57 (FX). They have made the necessary repairs and confirmed that captioning had been restored to these two channels. Time Warner/Charter Communications contacted WOAY (the ABC affiliate in area) to investigate the intermittent issue with captioning on the HD feed of that network. Their research indicated that they were passing through the captioning as received from the programmer. An engineer at WOAY acknowledged that the station was aware of the intermittent issue and they were working to address this issue. We will continue to monitor and work with WOAY to ensure this issue is fully resolved.

Are you able to view closed captions? Please reply by March 5th or the matter will be considered resolved. Thank you.

Judy Miller
Disability Rights Office

Vadpresident007 Feb 26, 7:00 PM

Hi Judy,

This is LaDonna Larsen. It is working channel 50 (food) and FX 57 with CC. But still problem channel WOAYD CC. Sometime work and not. On/ off CC. Need work on WOAYD channel.

Thanks
LaDonna Larsen

Sent from my iPhone

Vadpresident007 Feb 26, 7:04 PM

Hi Judy,
I watch two and a half men channel WOAYD. CC not clear and still problem. I hope channel WOAYD will work on CC to fix it.
LaDonna Larsen

Sent from my iPhone

> On Feb 26, 2018, at 6:59 PM, Ladonna <vadpresident007@yahoo.com> wrote:

>

> Hi Judy,

> This is LaDonna Larsen. It is working channel 50 (food) and FX 57 with CC. But still problem channel WOAYD CC. Sometime work and not. On/ off CC. Need work on WOAYD channel.

> Thanks

> LaDonna Larsen

>

> Sent from my iPhone

>

>> On Feb 26, 2018, at 5:08 PM, FCC <consumercomplaints@fcc.gov> wrote:

>>

>>

Judy Miller Feb 27, 11:00 AM

Good Morning,

Thank you for the updated information. Additional information is needed. Please provide a date(s) and time(s) that you were viewing the program.

Once we have this information, we can proceed. Thank you

Judy Miller
Disability Rights Office

Vadpresident007 Mar 3, 8:51 PM

Hi Judy,
Channel WOAYD still problem with CC. Not right sentence and Off/On. Someone use type CC. I would not read it.
NBA Countdown Time: 8:00 pm and Date: 3-3-2018.

NBA Boston vs Houston Time: 8:30 pm
and Date: 3-3-2018.

WOAYD channel need to work on CC.

Thanks

LaDonna Larsen

Sent from my iPhone

Support Software by Zendesk



February 16, 2018

UPLOAD VIA FCC WEB PORTAL

Ms. Susan L. Kimmel
Deputy Chief, Disability Rights Office
Consumer and Governmental Affairs Bureau
Federal Communications Commission
445 12th Street, SW
Washington DC 20554

RE: Mr. William Larsen
Serve Ticket Number 2172710

Dear Ms. Kimmel:

Charter Communications, Inc. ("Charter") hereby submits its response in this matter.

Upon receipt of this complaint, our engineers investigated Mr. Larsen's concerns. We determined that a configuration issue was affecting the captioning on Channel 50 (The Food Network) and Channel 57 (FX). We made the necessary repairs and confirmed that captioning had been restored to these two channels.

We contacted WOAY (the ABC affiliate in Mr. Larsen's area) to investigate the intermittent issue with captioning on the HD feed of that network. Our research indicated that we were passing through the captioning as received from the programmer. An engineer at WOAY acknowledged that the station was aware of the intermittent issue and they were working to address this issue. We will continue to monitor and work with WOAY to ensure this issue is fully resolved.

We realize that many of our customers can only enjoy our programming through closed captioning, and we want to make sure we respond to any issues in a timely manner. Mr. Larsen should contact Customer Service at 888-892-2253 with any further concerns.

We regret any inconvenience Mr. Larsen may have experienced. Please do not hesitate to contact us if you have any questions.

Respectfully submitted,
/s/
William C. Wesselman
Director Law - Regulatory

cc: Mr. William Larsen
609 Fincastle Turnpike
Tazewell, VA 24651