

United States Government
Federal Communications Commission
Consumer & Governmental Affairs Bureau
Disability Rights Office
445 12th Street, SW
Washington, D.C. 20554

OFFICIAL
NOTICE OF INFORMAL COMPLAINT

February 23, 2011

In reply refer to case number: 11-C00273118 (SK)
(House) (WGN-TV)

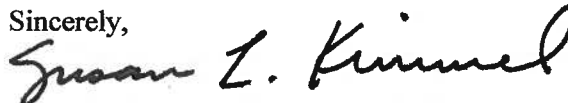
THE COMPANY IDENTIFIED IN THE ATTACHED COMPLAINT IS REQUIRED TO RESPOND TO THIS NOTICE OF INFORMAL COMPLAINT WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Failure of any person to answer any lawful Commission inquiry is considered a misdemeanor punishable by a fine under Section 409(m) of the Communications Act (Act), 47 U.S.C. § 409(m). Further, failure to comply with any order of the Commission can result in prosecution under Section 401(b) of the Act, 47 U.S.C. § 401(b). Section 501 of the Act, 47 U.S.C. § 501, and Section 503(b)(1)(B) of the Act, 47 U.S.C. § 503(b)(1)(B), provide for forfeiture penalties against any person who willfully fails to follow the directives of the Act or of a Commission order. The Commission can impose forfeiture penalties of up to \$1.2 million for certain types of violations.

The attached complaint was filed with the Commission pursuant to Section 713 of the Act, 47 U.S.C. § 613, and Section 79.1 of the Commission's Rules, 47 C.F.R. § 79.1. A letter acknowledging your company's receipt of this Notice and of the enclosed complaint should be sent to each consumer Complainant as soon as your company receives this Notice. Pursuant to Sections 713 and 4(i) of the Act, 47 U.S.C. §§ 613, 154(i), and Section 79.1(g) of the Commission's Rules, 47 C.F.R. § 79.1(g), we are forwarding a copy of the complaint so that your company may satisfy or answer the complaint based on a thorough review of all relevant records and other information. Your company should respond specifically to all material allegations raised in each complaint and summarize the actions taken by your company to satisfy the complaint.

Written responses must be filed with the Commission at 445 12th St., SW, Washington, D.C. 20554. A separate response should be filed for each individual complaint. Each response should include: (1) the Complainant's name, and (2) the Case number. Companies are directed to send copies of their responses to the complainant at the same time their responses are forwarded to the Commission.

Due to heightened security measures undertaken in Washington, D.C., and at this agency, you should also send an electronic copy of the response letter to Susan.Kimmel@fcc.gov AND to Sherita.Kennedy@fcc.gov. Companies are directed to send copies of their responses to consumers at the same time their responses are forwarded to the Commission. Each company required to respond to this Notice is directed to retain all records until final Commission disposition of the complaints. If you have any questions regarding this Notice, please call or email Sherita Kennedy at (202) 418-0287 or Sherita.Kennedy@fcc.gov, and leave a detailed message specifying the calling company name, the Case number, and the specific questions that you would like to have answered.

Sincerely,



Susan L. Kimmel, Deputy Chief
Disability Rights Office/CGB

Attachment(s)
K:613/79.1



FOR FCC INTERNAL USE ONLY

Admin 2000 [Switch to Admin1088]

Sherita.Kennedy [CAM] Logout

HOME SEARCH NEW COMPLAINT HELP DOWNLOAD

Basic Search Advanced Search

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Form 2000C (Disability Access Complaint) : 11-C00273118-1

User Form
Admin Comments
Serve Review
Serve Process
File Attachments
Letters
Show All
Sub Complaints(0)
Print Form
Email Factsheet(s)

USER FORM

[Consumer Party History](#) [Consumer History](#) [Form History](#) [Edit Form](#)

User Complaint Number: 11-C00273118 User Complaint Key: 11-C00273118-1

Complaint Source: **Web** Added User: **Consumer**

Submission date: 01/16/2011

CONSUMER'S INFORMATION

First Name: **Jim** Last Name: **House**

Company Name:
(Complete only if you are filing this complaint on behalf of a company or an organization.)

PO Box:

Address1: **3111 Windom Rd** Address2:

City: **Mt. Rainier** State: **MD** Zip Code: **20712**

Telephone Number(Residential or Business): **(240) 547 -5279** Ext:

E-mail Address: **jim7house@gmail.com**

Are you filing information on behalf of another party, such as client, parent, spouse or roommate? **No**
If yes, complete items a through h.

Your relationship with the party:

The party's first name:

The party's last name:

The party's daytime phone number: () - Ext:

The party's street address or post office box number:

City: State: Zip Code:

E-mail Address:

Fax Number: () -

IMPORTANT: Please indicate the preferred format or method of response to the complaint by the Commission and defendant:

- Letter Facsimile (fax) Telephone Voice
- TRS (designate form of TRS and appropriate contact information)
- TTY Internet E-mail ASCII Text Audio-Cassette Recording Braille

FORM 2000C:

1. Check the appropriate box for your type of complaint:
 - Telecommunications Relay Service (TRS) (i.e., TTY-based, IP Relay, CapTel, IP CapTel, Speech-to-Speech, Video Relay Service (VRS))
 - Accessibility of emergency information on television
 - Closed Captioning**
 - Wireless telephone equipment or service (includes hearing aid compatibility and other accessibility issues)
 - Wire line telephone equipment or service (includes hearing aid compatibility and other accessibility issues)
2. Provide the name, address and telephone number (if known) of the company(s) involved in your complaint:

Name: **Verizon**

City: **Mount Rainier** State: **MD** Zip Code: **20712**

Telephone number: () -
3. If your complaint is about accessibility of telecommunications services or equipment, provide the make and model number of the equipment or device that this complaint is about:
4. If your complaint is about closed captioning or emergency information on television, provide the date (mm/dd/yyyy) **01/16/2011** Time: **07:30 AM** and any details of when the event or action you are complaining

about occurred: **I am trying to watch Amazing Facts on WGN Channel 29. But the captions displayed is not from the program, but it is from a Chicago news report. Please fix.**

5. If your complaint is about access to emergency information on television, provide the following information:
 - a. Television station call sign and network name (if applicable), or channel name (e.g., "WZUF, CBC," "WZUE-TV," "Sportingchannel West"):
 - b. Channel (e.g., "13"):
 - c. Station or subscription TV provider system location:
City: County: State:
 - d. Date(s) and time(s) of emergency: and time
 - e. Detailed description of the emergency (i.e., flood, hurricane, tornado, etc., as well as the areas in which the emergency occurred):
6. If your complaint is about closed captioning, provide the following:
 - a. Television station call sign and network name (if applicable), or channel name (e.g., "WZUF, CBC," "WZUE-TV," "Sportingchannel West"): **WGN**
 - b. Channel (e.g., "13"): **29**
 - c. Station or subscription TV provider system location:
City: **Chicago** County: State: **IL**
 - d. If you pay to receive television programming, type of subscription service (e.g., cable, satellite): **FIOS**
 - e. If you pay to receive television programming, name of company to whom you subscribe: **Verizon**
 - f. Name of program(s) involved: **Amazing Facts**
7. Briefly describe your complaint and include the resolution you are seeking. If applicable, provide a full description of the telecommunications equipment or customer premises equipment (CPE) and/or the telecommunications service about which the complaint is made, and the date or dates on which the complaint either purchased, acquired or used, or attempted to purchase, acquire or use the telecommunications equipment, CPE or telecommunications service about which the complaint is being made. **I am trying to watch Amazing Facts on WGN Channel 29. But the captions displayed is not from the program, but it is from a Chicago news report. Please fix.**

Jason S. Roberts
Senior Counsel
312/222-4894

TRIBUNE

Tribune Company
435 North Michigan Avenue
Chicago, Illinois 60611-4066
fax: 312/222-3894
e-mail: jasroberts@tribune.com

Via Regular Mail and E-Mail to: jim7house@gmail.com

February 24, 2011

Mr. Jim House
3111 Windom Road
Mt. Rainier, MD 20712

Re: Informal Captioning Complaint Case No. 11-C00273118 (SK)
WGN America

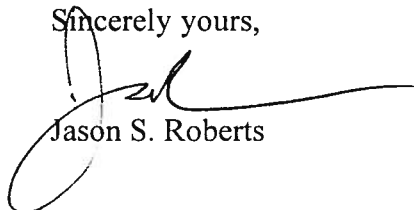
Dear Mr. House:

This letter is written on behalf of WGN America in response to your complaint filed with the FCC concerning alleged errors in the closed captioning aired during the program "Amazing Facts" on or near 7:00 a.m. on January 16, 2011.

We wanted to acknowledge we have received the Official Notice of Informal Complaint from the FCC dated February 23, 2011 (a copy of which is attached) and that we will be providing a complete answer to your complaint within 30 days to allow us to conduct a thorough review of our records and operations.

We are sensitive to your concerns. If you have any additional questions please contact the undersigned.

Sincerely yours,



Jason S. Roberts

cc: Marc Drazin, Chief Engineer, WGN America
Susan Kimmel, FCC (via email to: Susan.Kimmel@fcc.gov)
Sherita Kennedy, FCC (via email to: Sherita.Kennedy@fcc.gov)

Jason S. Roberts
Senior Counsel
312/222-4894

TRIBUNE

Tribune Company
435 North Michigan Avenue
Chicago, Illinois 60611-4066
fax: 312/222-3894
e-mail: jasroberts@tribune.com

Via Regular Mail and E-Mail to: jim7house@gmail.com

March 22, 2011

Mr. Jim House
3111 Windom Road
Mt. Rainier, MD 20712

Re: Informal Captioning Complaint No. 11-C00273118(SK)
(House) (WGN-TV)
Received by WGN Continental Broadcasting Company on February 24, 2011

Dear Mr. House:

This letter is written on behalf of WGN Continental Broadcasting Company ("WGN") and responds to your complaint about the incorrect closed captioning aired during the program "Amazing Facts" from 7:00 a.m. to 7:30 a.m. on January 16, 2011. A copy of your complaint is attached.

The master control facilities used for WGN-TV are also used for other programming feeds, including ChicagoLand Television and SportsNet. In order to properly serve the captioning needs of all the feeds, the facilities have a total of six caption encoder/listening lines dedicated to providing live captioning for the relevant programming aired on the various streams.

At times certain of the feeds air the same programming (i.e., coverage of live sporting events). In order to promote efficiency, the closed captioning technology employed at the master control facilities allow for the encoder fees to be "daisy chained," so that the live captioning data effectively airs on more than one broadcast feed.

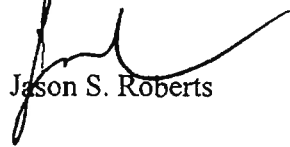
On the morning of January 16, 2011, an inadvertent oversight resulted in the closed captioning encoder/listening line for WGN not being removed from a daisy chain situation from the previous night. So, even though "Amazing Facts" was being properly captioned at the programming end, the captioning for another feed was accidentally inserted, resulting in incorrect live captioning being associated with the "Amazing Facts" program. The master control operator became aware of this captioning error during the airing of the program, and subsequently broke the chain so that the WGN channel again had its own single captioning feed, but by that point the program had ended.

WGN regrets this inadvertent error, and has worked on implementing new safeguards to prevent this type of captioning error from occurring in the future. Any closed captioning that is daisy chained is now to be immediately removed upon completion of the shared programming. All master control operators and supervisors have been re-trained in the use of the captioning/encoder system and guidelines have been implemented to more effectively troubleshoot and correct any captioning problems that occur.

Mr. Jim House
March 22, 2011
Page 2

We are sensitive to your concerns and will continue to work on improving our captioning system to best serve our viewers. If you have any additional questions, please contact the undersigned.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jason S. Roberts". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jason S. Roberts

cc: Marc Drazin, Chief Engineer, WGN
Susan Kimmel, FCC (via email to: Susan.Kimmel@fcc.gov)
Sherita Kennedy, FCC (via email to: Sherita.Kennedy@fcc.gov)

Enclosures