



# PUBLIC NOTICE

Federal Communications Commission  
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**DA 01-325**

February 7, 2001

## MASS MEDIA BUREAU ACTION

### COMMENT SOUGHT ON THE WEATHER CHANNEL REQUEST FOR CLARIFICATION OF EMERGENCY INFORMATION RULES

On December 20, 2000, The Weather Channel filed a letter with the Commission regarding "Request for Clarification Regarding the Aural Tone Requirements of the Commission's Video Description Rules, 47 C.F.R. § 79.2(b)(1)(iii)." This rule states that "[e]mergency information that is provided in the video portion of programming that is not a regularly scheduled newscast, or a newscast that interrupts regular programming, must be accompanied by an aural tone." The Commission has explained that, if a broadcast station or multichannel video programming distributor (MVPD) provides emergency information through a crawl or scroll, it must accompany that information with an aural tone.<sup>1</sup>

The Weather Channel seeks clarification that "it is in compliance with the aural tone requirement in 79.2(b)(1)(iii) of the rules when it provides an aural tone prior to the first time that it provides a particular crawl or scroll containing emergency information." The Weather Channel thus seeks clarification that it need not accompany *each* otherwise identical crawl or scroll with an aural tone. In the alternative, The Weather Channel seeks an exemption from the rules because it asserts that accompanying each crawl or scroll with an aural tone would constitute an undue burden.

The Weather Channel's filing is available for public inspection in the Federal Communications File Room:

Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554.

The filing is also available at the FCC Consumer Information Bureau Disability Rights Office website, <http://www.fcc.cib.dro>.

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<sup>1</sup> Implementation of Video Description of Video Programming, MM Docket No. 99-339, *Report and Order*, 15 FCC Rcd 15230, 15251 at ¶ 51(2000), *on recon.*, FCC 01-7 (rel. Jan. 18, 2001).

Copies of the filing and other pleadings are also available for purchase from:

ITS Inc.  
1231 20<sup>th</sup> Street, NW  
Washington, DC 20036  
www.itsdocs.com  
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This document is available to individuals with disabilities requiring accessible formats (electronic ASCII text, Braille, large print, and audiocassette) by contacting Brian Millin at (202) 418-7426 (Voice), (202) 418-7365 (TTY), or by sending an email to [access@fcc.gov](mailto:access@fcc.gov).

The public may submit comments on The Weather Channel's filing on or before February 27, 2001, and replies to those comments on or before March 9, 2001. Comments and replies should include the docket number MM Docket No. 99-339.

Mass Media Bureau Contact: Eric J. Bash, (202) 418-1188