



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
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DA 08-71

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CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU ACTION REQUESTS FOR EXEMPTION FROM COMMISSION'S CLOSED CAPTIONING RULES

CG Docket No. 06-181

Several entities have filed petitions for exemption from the closed captioning requirements, found in section 79.1 of the Commission's rules, 47 C.F.R. § 79.1, for the television programs they produce.¹ Each of these petitioners claims that compliance with the closed captioning requirements would impose an undue burden on them, as defined in section 79.1(f) of the Commission's rules.

Comments on and oppositions to these petitions are due 30 days from the date of this public notice. Replies to these comments and oppositions are due 20 days after the comments/oppositions deadline. *See* 47 C.F.R. § 1.4 for particulars regarding filing deadlines.

Ex Parte Presentations. Unless otherwise provided, requests for waiver of the Commission's rules are subject to treatment by the Commission as restricted proceedings for *ex parte* purposes under section 1.1208 of the Commission's Rules, 47 C.F.R. § 1.1208. Because of the policy implications and potential impact of the collective proceedings in CG Docket No. 06-181 on persons not necessarily party to each individual petition for exemption, we have found that it is in the public interest to treat CG Docket No. 06-181 as a permit-but-disclose proceeding under the Commission's *ex parte* rules. *See* 47 C.F.R. §§ 1.1200(a) and 1.1206; *Consumer and Governmental Affairs Bureau Action: Extension of Comment Period on Petitions for Exemption from Commission's Closed Captioning Rules; Ex Parte Treatment of Filings In Docket*, CG Docket No. 06-181, Public Notice, 21 FCC Rcd 13487, 13488 (CGB 2006). All *ex parte* filings and contacts associated with these petitions for exemption shall comport with the Commission's rules for permit-but-disclose proceedings. *See id.* Therefore, *ex parte* presentations will be permitted but must be disclosed in accordance with the requirements of section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented generally is required. *See id.* Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.

Filing Instructions -

Any filing related to these petitions must reference **CG Docket No. 06-181**, as well as the relevant case identifier, **located in column 1**.

¹ The names of the Petitioners are set forth in Attachment A.

Comments, oppositions, replies, and *ex parte* letters may be filed electronically through the Commission's Electronic Comment Filing System (ECFS) at http://gullfoss2.fcc.gov/prod/ecfs/upload_v2.cgi. Key 06-181 in box 1 labeled "Proceeding"; click on "comment," "opposition," "reply," or "letter," as appropriate, in box 12 labeled "Document Type"; and key the four numerical digits of the relevant case identifier in box 13 labeled "File Number." Be sure to follow all other directions on the page.

If filing paper copies, an original and two (2) copies of all comments, oppositions, and replies must be filed with the Commission. Parties making *ex parte* presentations must comply with section 1.1206 of the Commission's rules. Filings can be sent by hand or messenger delivery, commercial overnight courier, or by first class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, Attention: CGB Room 3-B431.

* The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

* Commercial overnight mail (other than U.S. Postal Service, Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

* U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington, DC 20554.

All comments and oppositions must be served on the relevant petitioners at their respective addresses, and include a certification that they have been served on the relevant petitioner.

For petitioners who wish to reply to comments or oppositions, replies are due 20 days after the comments/oppositions deadline, and must be filed in accordance with the above filing instructions. In addition, each reply shall be served on the commenting or opposing party and shall include a certification that the commenter was served with a copy.

All comments, oppositions, and replies must contain a detailed, full showing, supported by affidavit, of any facts or considerations relied upon.

The petitions are available for public inspection at the Commission's Reference Information Center:

445 12th Street, S.W.
Washington, D.C. 20554
202-418-0270

The petitions, comments, oppositions, replies, and *ex parte* presentations can be found through ECFS at http://gullfoss2.fcc.gov/prod/ecfs/comsrch_v2.cgi. To access them, key 06-181 in box 1 labeled "Proceeding" and the four numerical digits of the relevant case identifier in box 10 labeled "File Number/Community," and click on the Retrieve Document List button at the bottom. This Public Notice can be found through ECFS (keying 06-181 in box 1 and clicking on the Retrieve Document List button), or at http://www.fcc.gov/cgb/dro/caption_exemptions.html.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

Consumer and Governmental Affairs Bureau Contact: Michael Jacobs, (202) 418-2859 (voice), (202) 418-8233 (TTY); e-mail Michael.Jacobs@fcc.gov.

Attachment A

Case Identifier	Petitioner/Program Name	Address
CGB-CC-0759	BugWater Media, LLC / “Tim Roller’s Wild Addiction”	Attention: Tim Roller 10757 W. Rosted Road Lake City, MI 49651
CGB-CC-0760	The “Boo” The Clown Show	c/o Ray Wold 7550 N. Jones Boulevard Las Vegas, NV 89131
CGB-CC-0761	Kompa en action Inc. / “Life in Miami”	c/o Wadelene Joseph 8071 NW 44 th Court #4 Coral Springs, FL 33065
CGB-CC-0762	Wood Ford Sales, Inc.	325 Hwy 463N Trumann, AR 72472
CGB-CC-0763	West End Assembly of God	401 Parham Road Richmond, VA 23229
CGB-CC-0764	ASAT Outdoors, LLC	307 East Park Avenue, Suite 207A Anaconda, MT 59711
CGB-CC-0765	OutdoorFrontiers Multi-Media LLC / “Steve Huber’s OutdoorFrontiers TV”	119 E. Frederick Street Rhineland, WI 54501
CGB-CC-0766	Christian Joy Center / “Changing Lives in Changing Times”	1208 Sumac Drive El Paso, TX 79925
CGB-CC-0767	St. Luke’s United Methodist Church of Houston, TX	Robert Lewis Thompson SMITHWICK & BELENDIUK-PC 5028 Wisconsin Avenue, NW, #301 Washington, DC 20016
CGB-CC-0768	First Baptist Church of Knoxville	510 W. Main Street Knoxville, TN 37902
CGB-CC-0769	Coldwell Banker Bain / “Tour of Homes”	7525 S.E. 24 th Street, Suite 630 Mercer Island, WA 98040
CGB-CC-0770	Hooked Up, LLC / “No Excuses Televised Fishing and Outdoor Adventures”	PO Box 123 Greenville, WI 54942
CGB-CC-0771	Mambo, LLC	Charles R. Naftalin Leighton T. Brown HOLLAND & KNIGHT LLP 2099 Pennsylvania Avenue, NW, Suite 100 Washington, DC 20006-6801
CGB-CC-0772	Life Christian Church	3193 Rochester Road Troy, MI 48083
CGB-CC-0773	Radarworks	6100 Wilshire Boulevard Los Angeles, CA 90048
CGB-CC-0774	First Church of Creative Mind / “The Unlimited God Power Hour”	PO Box 1209 Rancho Cucamonga, CA 91729