



PUBLIC NOTICE

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REMINDER TO ALL VIDEO PROGRAMMING DISTRIBUTORS CLOSED CAPTIONING CONTACT INFORMATION IS OVERDUE

CG Docket No. 05-231
ET Docket No. 99-254

Pursuant to this Public Notice, the Federal Communications Commission (Commission) reminds video programming distributors (VPDs) of their obligation to provide the FCC and consumers with contact information for resolving closed captioning concerns. All VPDs are required to submit their contact information to consumers and the Commission, regardless of whether the VPD is currently exempt from the obligation to provide closed captions.

The Closed Captioning Contact Information Requirements, 47 C.F.R. § 79.1(i), which became effective on February 19, 2010, obligated VPDs to provide the Commission with their contact information for immediate and written closed captioning concerns by March 22, 2010.¹ Notwithstanding this requirement, still many VPDs have not submitted this contact information. Failure to provide such information could result in enforcement action. In addition to reminding VPDs of this filing obligation, this Public Notice describes the methods by which VPDs may submit their contact information to the Commission.

Closed Captioning Contact Information Requirements, 47 C.F.R. § 79.1(i)

Pursuant to new Section 79.1(i), VPDs are required to make available two different types of contact information to the Commission: (1) contact information for the receipt and handling of immediate closed captioning concerns by consumers, and (2) contact information for written closed captioning complaints.² The complete text of Section 79.1(i) is attached to this Public Notice.

Section 79.1(i)(3) offers three methods by which VPDs may submit the requisite contact information. The preferred method for submission is through a webform on the Commission's closed

¹ See *Closed Captioning of Video Programming; Closed Captioning Requirements for Digital Television Receivers*, CG Docket No. 05-231, ET Docket No. 99-254, Declaratory Ruling, Order, and Notice of Proposed Rulemaking, 23 FCC Rcd 16674 (rel. Nov. 7, 2008) (*November 2008 Order*). Notice of the effective date of the new rule was published in the Federal Register on February 19, 2010, 75 FR 7370.

² See *November 2008 Order*, 23 FCC Rcd at 16684-16687, paras. 27-34.

captioning webpage.³ Use of the webform or VPD Registry has several advantages over the other means of submission. Specifically, the webform approach guides VPDs through the process and will not accept any entry that does not contain all of the required information. In addition, all information entered by VPDs through the webform will be secure because only authorized users with access to the VPD's FCC Registration Number (FRN) may enter data or make changes to that data. Finally, it is useful for VPDs to enter their own information into the webform (rather than having FCC staff do so) because changes to previously entered information only may be made by a user entering the FRN that originally entered the data. This is important, given that changes to VPD contact information must be submitted to the Commission within 10 business days of those changes occurring.⁴

The web-based VPD Registry can be accessed on the Commission's Closed Captioning webpage at <http://www.fcc.gov/cgb/dro/caption.html>. The VPD must log into the VPD Registry using its FRN and password. Instructions are provided on the webform for logging in and for acquiring an FRN and password, in the event the VPD does not already have an FRN. Technical support is available for those needing it, by clicking on the "Support" button at the top of the screen that appears after the VPD has logged in with its FRN and password.

After logging in, the VPD enters its contact and coverage information based on its distributor type. Over-the-air broadcasters will be asked to provide their call sign, and coverage will be assigned based on existing FCC data. Satellite providers will be assumed to have nationwide coverage. Cable, telephone companies, and other providers will be prompted to complete a spreadsheet template providing their county/city and state coverage areas. Once submitted, the system will validate content for required fields and data format, and it will notify the user of any identified issues for immediate correction.

Once successfully saved, the data will be stored, to be displayed and searchable by the public in the future. VPDs may also submit contact information by email to CLOSEDCAPTIONING_POC@fcc.gov, or by sending a letter to the Chief of the FCC's Disability Rights Office, 445 12th Street, S.W., Washington, D.C. 20554.

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 & Governmental Affairs Bureau at 202-418-0530 (voice) or 202-418-0432 (TTY). This *Public Notice* can be downloaded in Word and Portable Document Formats (PDF) at <http://www.fcc.gov/cgb/dro/caption.html>.

Consumer & Governmental Affairs Bureau Contact: Amelia Brown (202) 418-2799 (voice), (202) 418-7804 (TTY), Amelia.Brown@fcc.gov, or Traci Randolph (202) 418-0569 (voice), (202) 418-0537 (TTY), Traci.Randolph@fcc.gov.

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³ The webform was approved by the Commission in December 2009. *See Closed Captioning of Video Programming*, Order, FCC 09-109, adopted Dec. 4, 2009 (*Webform Order*). A summary of the *Webform Order* appeared in the Federal Register on February 19, 2010, 75 FR 7368. On January 6, 2010, OMB approved this non-substantial revision to the previously approved Paperwork Reduction Act collection number 3060-0761.

⁴ 47 C.F.R. §79.1(i)(3).

Section 79.1(i) Contact information

(1) Video programming distributors shall make available contact information for the receipt and handling of immediate closed captioning concerns raised by consumers while they are watching a program. Programming distributors must designate a telephone number, fax number, and e-mail address for purposes of receiving and responding immediately to any closed captioning concerns. Distributors shall include this information on their Web sites (if they have a Web site), in telephone directories, and in billing statements (to the extent the distributor issues billing statements). Distributors shall keep this information current and update it to reflect any changes within 10 business days for Web sites, by the next billing cycle for billing statements, and by the next publication of directories. Video programming distributors should ensure that any staff reachable through this contact information has the capability to immediately respond to and address consumers' concerns. To the extent that a distributor has personnel available, either on site or remotely, to address any technical problems that may arise, consumers using this dedicated contact information must be able to reach someone, either directly or indirectly, who can address the consumer's captioning concerns. This provision does not require that distributors alter their hours of operation or the hours during which they have staffing available; at the same time, however, where staff is available to address technical issues that may arise during the course of transmitting programming, they also must be knowledgeable about and be able to address closed captioning concerns. In situations where a distributor is not immediately available, any calls or inquiries received, using this dedicated contact information, should be returned or otherwise addressed within 24 hours. In those situations where the captioning problem does not reside with the distributor, the staff person receiving the inquiry should refer the matter appropriately for resolution.

(2) Video programming distributors shall make contact information available for the receipt and handling of written closed captioning complaints that do not raise the type of immediate issues that are addressed in paragraph (i)(1) of this section. The contact information required for written complaints shall include the name of a person with primary responsibility for captioning issues and who can ensure compliance with our rules. In addition, this contact information shall include the person's title or office, telephone number, fax number, postal mailing address, and e-mail address. Distributors shall include this information on their Web sites (if they have a Web site), in telephone directories, and in billing statements (to the extent the distributor issues billing statements). Distributors shall keep this information current and update it within 10 business days for Web sites, by the next billing cycle for billing statements, and by the next publication of directories.

(3) Providing contact information to the Commission. Video programming distributors shall file the contact information described in this section with the Commission in one of the following ways: through a webform located on the FCC website; with the Chief of the Disability Rights Office, Consumer and Governmental Affairs Bureau; or by sending an e-mail to CLOSED CAPTIONING_POC@fcc.gov . Contact information shall be available to consumers on the FCC Web site or by telephone inquiry to the Commission's Consumer Center. Distributors shall notify the Commission each time there is a change in any of this required information within 10 business days.