



# PUBLIC NOTICE

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## NOTICE OF DISMISSAL OF CLOSED CAPTIONING EXEMPTION PETITION

CG Docket No. 06-181  
CGB-CC-0888

By this *Notice*, the Federal Communications Commission's (FCC's or Commission's) Consumer and Governmental Affairs Bureau (Bureau) announces the dismissal of the Petition of Father Cedric Pisezna Ministries (FCPM), for exemption from the Commission's closed captioning requirements.<sup>1</sup>

The Commission's closed captioning rules allow video programming providers, producers, or owners to obtain an exemption from the closed captioning requirements if they demonstrate that providing captions on their programming would be "economically burdensome."<sup>2</sup> FCPM filed a Petition for a closed captioning exemption under these rules.<sup>3</sup> The Bureau notified FCPM of the need to file updated information with respect to its pending Petition.<sup>4</sup> In response, FCPM updated its Petition.<sup>5</sup> The Bureau then placed the Petition on Public Notice.<sup>6</sup> After reviewing the comments received in response to the Petition and similar petitions, the Bureau determined that it required additional and updated information to evaluate whether the programming at issue should be exempted from the FCC's closed captioning requirements because captioning such programming would impose an economic burden on the

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<sup>1</sup> 47 C.F.R. § 79.1.

<sup>2</sup> 47 C.F.R. § 79.1(f).

<sup>3</sup> Letter from Father Cedric Pisezna to the Federal Communications Commission (May 14, 2009);

<sup>4</sup> See *Notice of Need to File Updated Information with Respect to Pending Petitions for Exemption from Commission's Closed Captioning Rules, Which Were Filed Prior to October 2010*, Public Notice, 27 FCC 3106 (CGB 2012) (alerting petitioners of the need to affirm that information previously provided is still accurate and up-to-date, to update that information, or to withdraw their petitions). See also Letter from Kris Anne Monteith, Acting Chief, Consumer and Governmental Affairs Bureau, to Father Cedric Pisezna Ministries (Apr. 5, 2012).

<sup>5</sup> Letter from Father Cedric Pisezna to Office of the Secretary, Federal Communications Commission (Jun. 15, 2012).

<sup>6</sup> See *Request for Comment/Request for Exemption from Commission's Closed Captioning Rules*, Public Notice, 27 FCC Rcd 7574 (2012). A joint opposition was filed by Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI), National Association of the Deaf (NAD), Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN), Association of Late-Deafened Adults (ALDA), and Cerebral Palsy and Deaf Organization (CPADO) (collectively Consumer Groups) (Aug. 6, 2012). Father Cedric Pisezna Ministries filed a reply. See letter from Father Cedric Pisezna to Office of the Secretary, Federal Communications Commission (Aug. 24, 2012).

petitioner. The Bureau requested this additional information in a letter dated September 26, 2013.<sup>7</sup> On October 28, 2013, the Bureau received the supplemental information FCPM provided in response to the Bureau's letter.<sup>8</sup>

The Bureau determined that FCPM provided almost all of the requested information, but there was still a relatively minor amount of information needed to complete its Petition. On July 2, 2014, the Bureau requested by letter that FCPM provide the additional information needed to enable the Bureau to determine whether the programming that is the subject of the Petition should be exempt from the FCC's closed captioning requirements.<sup>9</sup> The Bureau advised FCPM that, absent receipt of the additional information by August 1, 2014, its Petition would be dismissed and FCPM would be required to begin providing closed captioning for its program(s) within 90 days of the date of the Bureau's notification of dismissal.<sup>10</sup> FCPM did not respond to the Bureau's letter.

Accordingly, the FCPM Petition is dismissed without prejudice as of October 9, 2014, the release date of this *Notice*. This *Notice* also reminds FCPM of its obligations to comply with the FCC's closed captioning requirements contained in Part 79 of the Commission's rules with regard to the programming that was the subject of its Petition by January 7, 2015, which is 90 days after the date of this *Notice* of dismissal.

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](mailto:fcc504@fcc.gov) or call the Bureau at 202-418-0530 (voice) or 202-418-0432 (TTY). This *Notice* can also be downloaded in Word and Portable Document Format at <http://www.fcc.gov/encyclopedia/economically-burdensome-exemption-closed-captioning-requirements>.

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<sup>7</sup> Letter from Roger Holberg, Attorney, Disability Rights Office, Consumer and Governmental Affairs Bureau, to Father Cedric Pisegna Ministries (Sept. 26, 2013).

<sup>8</sup> Letter from Father Cedric Pisegna to the Office of the Secretary, Federal Communications Commission (Oct. 25, 2013).

<sup>9</sup> See Letter from E. Elaine Gardner, Attorney, Disability Rights Office, Consumer and Governmental Affairs Bureau, to Father Cedric Pisegna Ministries (Jul. 2, 2014).

<sup>10</sup> The Bureau also called and left voicemail messages for FCPM on July 2, 2014 and September 11, 2014, about the Bureau's request for additional information.