

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Faith Center of Paducah, Inc.)	CGB-CC-0731
)	
Petition for Exemption from the Closed Captioning Requirements)	CG Docket No. 06-181

MEMORANDUM OPINION AND ORDER

Adopted: January 22, 2015

Released: January 22, 2015

By the Deputy Chief, Consumer and Governmental Affairs Bureau:

I. INTRODUCTION

1. In this Memorandum Opinion and Order (Order), we address a petition filed by Faith Center of Paducah, Inc. (Faith Center) for an exemption from the Federal Communications Commission's (FCC's or Commission's) closed captioning requirements for its program, *Awaken the Heart*. Because we conclude that Faith Center has not demonstrated that its compliance with the Commission's closed captioning requirements for this program would be economically burdensome to it, we deny the petition. In light of our action, Faith Center must provide closed captioning for its program no later than April 22, 2015, which is 90 days from the date of the release of this Order.

II. BACKGROUND

2. In 1996, Congress added section 713 to the Communications Act of 1934, as amended (Communications Act), establishing requirements for closed captioning of video programming to ensure access to such programming by people who are deaf or hard of hearing,¹ and directing the Commission to prescribe rules to carry out this mandate.² In 1997, the Commission adopted rules and implementation schedules for closed captioning, which became effective on January 1, 1998.³ The Commission's closed

¹ Section 305 of the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (codified at 47 U.S.C. § 613). As recognized by Congress, the goal in captioning video programming is "to ensure that all Americans ultimately have access to video services and programs, particularly as video programming becomes an increasingly important part of the home, school and workplace." H.R. Rep. 104-458 (Conf. Rep.) at 183-184, 104th Cong., 2d Sess. (1996). "Video programming" means "programming by, or generally considered comparable to programming provided by a television broadcast station." 47 U.S.C. § 613(h)(2).

² 47 U.S.C. §§ 613(b)-(c).

³ See 47 C.F.R. § 79.1; *Closed Captioning and Video Description of Video Programming, Implementation of Section 305 of the Telecommunications Act of 1996, Video Programming Accessibility*, MM Docket No. 95-176, Report and Order, 13 FCC Rcd 3272 (1997) (*Closed Captioning Report and Order*); *Closed Captioning and Video Description of Video Programming, Implementation of Section 305 of the Telecommunications Act of 1996, Video Programming*

captioning rules currently require video programming distributors, absent an exemption, to caption 100% of all new, English and Spanish language programming.⁴

3. Section 713(d)(3) of the Communications Act authorizes the Commission to grant individual exemptions from the television closed captioning requirements upon a showing that the requirements would be economically burdensome, defined as imposing on the petitioner a “significant difficulty or expense.”⁵ Any entity in the programming distribution chain, including the owner, provider, or distributor of the programming, may petition the Commission for such an exemption under section 79.1(f) of the Commission’s rules.⁶ When making its determination as to whether a petitioner has made the required showing, the Commission, in accordance with section 713(e) of the Communications Act and section 79.1(f)(2) of the Commission’s rules, considers the following factors on a case-by-case basis: (1) the nature and cost of the closed captions for the programming; (2) the impact on the operation of the provider or program owner; (3) the financial resources of the provider or program owner; and (4) the type of operations of the provider or program owner.⁷

Accessibility, MM Docket No. 95-176, Order on Reconsideration, 13 FCC Rcd 19973 (1998) (*Closed Captioning Reconsideration Order*).

⁴ 47 C.F.R. §§ 79.1(b)(1)(iv), (b)(3)(iv). A “video programming distributor” is defined as (1) any television broadcast station licensed by the Commission; (2) any multichannel video programming distributor (MVPD) as defined in section 76.1000(e); and (3) any other distributor of video programming for residential reception that delivers such programming directly to the home and is subject to the jurisdiction of the Commission. 47 C.F.R. § 79.1(a)(2). The Commission’s rules also require closed captioning of 75% of a programming distributor’s pre-rule, nonexempt English and Spanish language programming that is distributed and exhibited on each channel during each calendar quarter. 47 C.F.R. §§ 79.1(b)(2)(ii), (b)(4)(ii). “Pre-rule” programming refers to analog video programming first published or exhibited before January 1, 1998, or digital video programming first published or exhibited before July 1, 2002. 47 C.F.R. § 79.1(a)(6). Bilingual English-Spanish language programming is subject to the same closed captioning requirements for new and pre-rule programming. *See Closed Captioning of Video Programming; Telecommunications for the Deaf and Hard of Hearing, Inc., Petition for Rulemaking*, CG Docket No. 05-231, Report and Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking, 29 FCC Rcd 2221, 2288-89, ¶ 115 (2014).

⁵ *See* 47 U.S.C. §§ 613(d)(3),(e); *see also* 47 C.F.R. § 79.1(f)(2). As originally enacted in 1996, section 713 of the Communications Act authorized the Commission to grant individual closed captioning exemptions upon a showing that providing closed captioning would “result in an undue burden.” Pub. L. No. 104-104, § 305, 110 Stat. 126 (1996). Section 202(c) of the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA) replaced the term “undue burden” with the term “economically burdensome.” Pub. L. No. 111-260, § 202(c), 124 Stat. 2771, amending 47 U.S.C. § 613(d)(3). For purposes of evaluating individual exemptions, the Commission has determined that Congress intended the term “economically burdensome” to be synonymous with the term “undue burden” as defined by section 713(e) of the Communications Act and section 79.1(f)(2) of the Commission’s rules. *See Interpretation of Economically Burdensome Standard, Amendment of Section 79.1(f) of the Commission’s Rules, Video Programming Accessibility*, CG Docket No. 11-175, Report and Order, 27 FCC Rcd 8831, 8834, ¶ 7 (2012) (*Economically Burdensome Standard Order*).

⁶ 47 C.F.R. § 79.1(f)(1). A “video programming provider” is defined as “[a]ny video programming distributor and any other entity that provides video programming that is intended for distribution to residential households including, but not limited to broadcast or nonbroadcast television network and the owners of such programming.” 47 C.F.R. § 79.1(a)(3). *See also* n.4, *supra* (for definition of “video programming distributor”). A petitioner may seek an exemption for “a channel of video programming, a category or type of video programming, an individual video service, a specific video program or a video programming provider.” 47 C.F.R. § 79.1(f)(1).

⁷ 47 U.S.C. § 613(e); 47 C.F.R. § 79.1(f)(2). A petitioner may also present for the Commission’s consideration “any other factors the petitioner deems relevant to the Commission’s final determination,” including alternatives that might constitute a reasonable substitute for closed captioning. 47 C.F.R. § 79.1(f)(3). The Commission has

4. The Commission requires the following information and documentation to be submitted with closed captioning exemption petitions to enable its consideration of the above factors:

- the name of the programming (or channel of programming) for which an exemption is requested;
- information and documentation about the petitioner's costs associated with closed captioning each program and efforts to find companies that can provide captioning at a reasonable cost;
- an explanation of the impact that having to provide closed captioning will have on the petitioner's programming activities;
- information and documentation of the petitioner's financial resources, including its income, expenses, current assets, and current liabilities for the two most recent completed calendar or fiscal years;
- verification that the petitioner has sought closed captioning assistance from its video programming distributor(s); and
- verification that the petitioner has sought additional sponsorships (other than from its video programming distributor(s)), or other sources of revenue for captioning.⁸

5. Each petition must contain a detailed, full showing of any facts or considerations relied upon, supported by affidavit.⁹ Failure to support an exemption request with adequate explanation and evidence may result in the dismissal of the request.¹⁰ While a petition is pending, the programming subject to the request for exemption is considered exempt from the closed captioning requirements.¹¹

6. Faith Center initially filed a petition for exemption on August 28, 2007 (hereinafter Petition).¹² In a Public Notice released on September 18, 2007, the Bureau invited comment on the

delegated the responsibility for evaluating and ruling on these petitions to the Consumer and Governmental Affairs Bureau. *Economically Burdensome Standard Order*, 27 FCC Rcd at 8834-35, ¶ 8.

⁸ This is a summary of the list of "Required Information to Provide in Filing a New Petition to be Exempt from the Closed Captioning Requirements," provided by the staff to captioning exemption petitioners and available at http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-323421A1.pdf, which the Bureau developed, based on the Communications Act, the Commission's rules, and Commission history and experience evaluating such petitions. See *Anglers for Christ Ministries, Inc., et al.; Amendment of Section 79.1(f) of the Commission's Rules; Video Programming Accessibility*, CG Docket Nos. 06-181 and 11-175, Memorandum Opinion and Order, Order, and Notice of Proposed Rulemaking, 26 FCC Rcd 14941, 14955-56, ¶ 28 (2011) (*Anglers Reversal MO&O*).

⁹ 47 C.F.R. § 79.1(f)(9). A petition for exemption may also be supported by an unsworn written statement signed by a declarant under penalty of perjury. 47 C.F.R. § 1.16.

¹⁰ *Anglers Reversal MO&O*, 26 FCC Rcd at 14955-56, ¶ 28 (citing *The Wild Outdoors, Video Programming Accessibility, Petition for Waiver of Closed Captioning Requirements*, CSR Docket No. 5444, Memorandum Opinion and Order, 16 FCC Rcd 13611, 13614, ¶ 12 (Cable Services Bureau, 2001) (*Wild Outdoors 2001*)).

¹¹ 47 U.S.C. § 613(d)(3); 47 C.F.R. § 79.1(f)(11).

¹² See Letter from John W. Aitken, Senior Pastor, Faith Center of Paducah, Inc., to Office of the Secretary, FCC (Aug. 28, 2007) (filed Aug. 29, 2007) (Petition). In this Petition, Faith Center also asserts that the program qualifies for the exemption established under section 79.1(d)(8) of the Commission's rules for locally produced and distributed non-news programming with no repeat value. *Id.* at 3. We disagree. This rule categorically exempts from the closed captioning requirements "[p]rogramming that is locally produced by the *video programming distributor*, has no repeat value, is of local public interest, is not news programming, and for which the 'electronic newsroom technique' of captioning is unavailable." 47 C.F.R. § 79.1(d)(8) (*emphasis added*). In this context, the Commission defines "video programming distributor" as any television broadcast station licensed by the

Petition.¹³ Certain consumer organizations jointly filed an opposition to the Petition.¹⁴ In 2012, the Bureau notified Faith Center of the need to file updated information with respect to its pending Petition.¹⁵ In response, on July 3, 2012, Faith Center supplemented its Petition (hereinafter First Supplement).¹⁶ Faith Center again supplemented its Petition on April 3, 2013, in response to a subsequent request from the Bureau for additional information (hereinafter Second Supplement).¹⁷ On September 26, 2013, the Bureau requested additional information from Faith Center.¹⁸ Faith Center supplemented its Petition again by letter dated October 25, 2013 (hereinafter Third Supplement).¹⁹ On February 10, 2014, the Bureau invited comment on the Petition.²⁰ Again, various consumer groups jointly opposed the Petition.²¹

III. DISCUSSION

7. Faith Center produces *Awaken the Heart*, a thirty-minute religious program that is broadcast weekly on Station WQWQ-LP, Cape Girardeau, Missouri (WQWQ-LP), on Saturday mornings.²² Faith Center contends that it is unable to afford closed captioning for the weekly

Commission, any multichannel video programming distributor, and “any other distributor of video programming for residential reception that delivers such programming directly to the home and is subject to the jurisdiction of the Commission.” 47 C.F.R. § 79.1(a)(2). As such, based on Faith Center’s submissions, we conclude that this program is not exempt under this rule because Faith Center is not a “video programming distributor” as so defined.

¹³ *Consumer and Governmental Affairs Bureau Action Request for Exemption from Commission’s Closed Captioning Rules*, Public Notice, 22 FCC Rcd 16903 (CGB 2007).

¹⁴ See Opposition to the Petition for Exemption from Closed Captioning Requirements Filed by Faith Center of Paducah, Inc., 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), Hearing Loss Association of America, Association of Late-Deafened Adults, American Association of People with Disabilities, and California Coalition of Agencies Serving the Deaf and Hard of Hearing (CCASDHH) (Oct. 16, 2007).

¹⁵ *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*, CG 06-181, Public Notice, 27 FCC Rcd 3106 (CGB 2012). See also Letter from Kris Anne Monteith, Acting Chief, CGB, to Faith Center (Apr. 5, 2012).

¹⁶ See Letter from John Aitken, Pastor/President, Faith Center of Paducah, Inc., to Office of the Secretary, FCC (July 3, 2012) (filed July 5, 2012) (First Supplement).

¹⁷ See Letter from Roger Holberg, Attorney, Disability Rights Office, CGB, to Faith Center of Paducah, Inc. (Mar. 7, 2013); Letter from John Aitken, Pastor/President, Faith Center of Paducah, Inc., to Office of the Secretary, FCC (Apr. 3, 2013) (filed Apr. 5, 2013) (Second Supplement).

¹⁸ Letter from Suzy Rosen Singleton, Attorney, Disability Rights Office, CGB, to Faith Center of Paducah, Inc. (Sept. 26, 2013).

¹⁹ See Letter from John Aitken, Pastor/President, Faith Center of Paducah, Inc., to Office of the Secretary, FCC (Oct. 25, 2013) (filed Nov. 4, 2013) (Third Supplement).

²⁰ *Request for Comment/Request for Exemption from Commission’s Closed Captioning Rules*, CG 06-181, Public Notice, 29 FCC Rcd 1248 (CGB 2014).

²¹ See Opposition to Faith Center of Paducah, Inc.’s Petition for Exemption from the Commission’s Closed Captioning Rules, TDI, NAD, DHHCAN, Cerebral Palsy and Deaf Organization, and CCASDHH (collectively, Consumer Groups) (Mar. 12, 2014) (Consumer Groups Opposition).

²² Petition at 1; Third Supplement at 1. The original name for the broadcast, *Discovering a Better Life*, was subsequently changed to *Awaken the Heart*. First Supplement at 1. Further, Faith Center initially aired this show on Station KFVS-TV, and now airs the program on WQWQ-LP. See Petition at 1; First Supplement at 1; Third Supplement, Attachment E. Faith Center states that its program is focused on recovery and rehabilitation needs in its local area.

broadcasts, and that if an exemption from the Commission's closed captioning requirements is not granted it "would have to entirely eliminate [its] airing of 'Awaken the Heart'."²³

8. Faith Center obtained two quotes to caption its program, one for \$240.00 per show from Video Caption Corporation, and another for \$295.00 per show from Caption Depot.²⁴ Based on these quotes, the cost of captioning services for a full year of *Awaken the Heart* (i.e., 52 programs) would be \$12,480.00 and \$15,340.00, respectively.²⁵

9. In addition, Faith Center provides information about its projected start-up costs if it were to produce its own closed captioning of its program, but states that it considers "prohibitive" this "prospect of buying the software, learning the legal requirements, and learning the systems."²⁶ Faith Center estimates a cost of \$5,400.00 as a minimum to purchase the requisite software packages.²⁷ Faith Center also estimates a cost of \$8,500.00 annually for the retention of an additional employee "to accomplish the captioning."²⁸ Accordingly, Faith Center estimates the one-time startup cost of \$13,900.00 in the first year to produce its own captions of its program, with a recurring staff cost of \$8,500.00 annually.²⁹

10. Faith Center submitted financial statements for 2011 and 2012. For 2011, Faith Center reports total income of \$586,214.95, total expenses of \$667,534.78, and an excess of expenses over revenue of \$81,319.83.³⁰ For 2012, Faith Center reports total income of \$512,334.46, total expenses of \$421,477.29, and excess of revenue over expenses of \$90,857.17.³¹

11. Faith Center also submitted balance sheets for 2011 and 2012. Faith Center reports current assets as of December 31, 2011 of \$56,583.46, and current liabilities of \$8,680.95, resulting in net current assets of \$47,902.51.³² Faith Center also reports current assets as of December 31, 2012 of \$145,739.56, and current liabilities of \$7,242.88, resulting in net current assets of \$138,496.68.³³

²³ First Supplement at 1. *See also* Second Supplement at 1; Third Supplement at 3.

²⁴ Third Supplement, Att. A at 1-3.

²⁵ These amounts are reached by multiplying the weekly rate by 52. In addition to the cost of captioning services, Faith Center also indicates that it would incur additional costs for courier service charges, and although these costs are not specified, Faith Center states that with these costs, its total annual captioning cost would be "approximately \$16,500." *Id.* at 1.

²⁶ Second Supplement at 1.

²⁷ Third Supplement at 1-2. Faith Center attached two quotes for different in-house captioning software: \$4,594.25 for "CPC MacCaption/CaptionMaker WebPlus"; and \$8,044.25 for CPC MacCaption/CaptionMaker DTV." *Id.* at Att. B-1 and B-2. Faith Center explains that, in addition to this software, it would also have to purchase "separate authoring software to combine the two files into one." *Id.* at 1. We assume that the cost of \$5,400.00 for in-house captioning software cited by Faith Center in its petition refers to the purchase price for CPC MacCaption/CaptionMaker WebPlus (\$4,594.25) plus the cost of the additional separate authoring software, for which Faith Center provided no documentation.

²⁸ *Id.* at 2. Faith Center explains that this cost assumes the employee, likely inexperienced in captioning, would have a three to four month learning curve to be able to work on captioning at a reasonable pace for the remainder of the year. *Id.*

²⁹ *Id.*

³⁰ *Id.* at Att. C-1.

³¹ *Id.* at Att. C-2.

³² *Id.* at Att. D-1.

³³ *Id.* at Att. D-2.

12. Faith Center reports that it requested captioning assistance from its video programming distributor WQWQ-LP; however, WQWQ-LP responded that it does not provide captioning services at this time.³⁴ Faith Center further indicates that it received little response to targeted appeals for sponsorships from its congregation, its local community, and its business community.³⁵ Faith Center asserts that it will be “extremely detrimental” to pay for closed captioning and that the “economic cost would be prohibitive to continuing the program” because the additional costs of captioning “range from double to more than double the current production costs.”³⁶ Absent an exemption from the captioning requirements, it asserts, Faith Center would have to eliminate its airing of *Awaken the Heart*.³⁷

13. Consumer Groups, which were the only parties to comment on the Petition in response to the 2014 *Public Notice*, contend that Faith Center failed to satisfy the statutory and regulatory requirements to demonstrate that captioning would be economically burdensome on several grounds.³⁸ First, Consumer Groups argue that Faith Center has overstated the costs of captioning.³⁹ In support of this claim, they point to the fact that the cost estimates provided in Faith Center’s most recent supplement are higher than previous estimates.⁴⁰ Consumer Groups also assert that Faith Center failed to “document that it ever bargained for a lower captioning rate,” and failed to follow up on discounts for “regular clients” offered by one provider.⁴¹ Consumer Groups also object to Faith Center’s failure to demonstrate that it diligently pursued other funding options for captioning, including its production company, and its failure to provide documentation of the efforts that it did make.⁴² With regard to Faith Center’s financial resources, Consumer Groups argue that Faith Center’s annual surplus of \$90,857.00 for 2012 illustrates an ability to provide closed captions on its program,⁴³ even at the “inflated annual [captioning] cost estimate of \$16,500,”⁴⁴ because the caption costs would only be 3% of the funds taken in during that year.⁴⁵ Consumer Groups acknowledge, but seemingly dismiss the fact that Faith Center suffered a loss in 2011, noting that “the Faith Center admits that 2011 was a very difficult year.”⁴⁶ Thus, Consumer Groups conclude, requiring Faith Center to caption its program cannot be considered economically burdensome.⁴⁷

³⁴ *Id.* at 3, Att. E.

³⁵ *Id.* at 3.

³⁶ *Id.* at 3. In its Second Supplement, Faith Center claims that when captioning costs are added, these “double or more than triple its current production costs.” Second Supplement at 1.

³⁷ Second Supplement at 1.

³⁸ Consumer Groups Opposition at 4-7.

³⁹ *Id.* at 4-5.

⁴⁰ In particular, Consumer Groups note that while the caption costs were estimated by Faith Center in 2012 to be \$150.00 for each half-hour program, its most recent filings provide quotes of \$240.00 and \$295.00 per show. *Id.* at 4-5. It also objects to Faith Center’s estimate of total annual caption expenses (\$16,500.00) as inflated. *Id.*

⁴¹ *Id.* at 5.

⁴² *Id.* at 5-6.

⁴³ *Id.* at 6-7. See ¶ 10, *supra*.

⁴⁴ *Id.* at 7.

⁴⁵ *Id.*

⁴⁶ *Id.* at n. 21.

⁴⁷ *Id.* at 7.

14. *Determination.* After a careful review of the record, the Bureau finds that Faith Center has not demonstrated that the provision of closed captioning for its program would be economically burdensome. As an initial matter, the Commission has previously determined that, when conducting an economically burdensome analysis, “all of the petitioners’ available resources” must be taken into consideration.⁴⁸ The Commission has rejected suggestions “to consider only the resources available for a specific program” in making the determination of whether provision of closed captioning is economically burdensome.⁴⁹ Therefore, we reject Faith Center’s efforts to compare the costs of providing captioning for *Awaken the Heart* with this program’s production costs.⁵⁰ Rather, consistent with prior Commission orders, we consider the overall financial resources available to Faith Center in determining whether it would be economically burdensome to comply with the Commission’s closed captioning requirements.

15. According to the information and documentation it has provided, Faith Center operated with an excess of revenue over expenses for 2012, the more recent of the two reported years.⁵¹ When we compare the lower of the annual closed captioning estimates submitted by Faith Center of \$12,480.00⁵² to its excesses of revenue over expenses of \$90,857.17 in 2012,⁵³ we conclude that such revenue was sufficient to cover the cost of captioning of Faith Center’s program. Specifically, Faith Center could have provided closed captioning and still have operated with an excess of revenue over expenses of \$78,377.17 in 2012.⁵⁴ In addition, Faith Center had net current assets of \$138,496.68 as of December 2012,⁵⁵ which provides further evidence that the provision of closed captioning would not be economically burdensome. Based on our review and analysis of the information provided, we conclude that closed captioning would not be economically burdensome for Faith Center.⁵⁶

⁴⁸ *Anglers Reversal MO&O*, 26 FCC Rcd at 14950, ¶ 17 (explaining that consideration of a petitioner’s request for exemption must take into account “the overall financial resources of the provider or program owner”).

⁴⁹ *Id.*

⁵⁰ See Second Supplement at 1; Third Supplement at 3.

⁵¹ Third Supplement, Att. C-2. For 2011, Faith Center reports an excess of expenses over revenue of \$81,319.83. *Id.*, Att. C-1. Since 2011, Faith Center notes that it has implemented “many changes to recover [its] business position”, including reducing its staff by five people. *Id.* at 2.

⁵² *Id.*, Att. A. We note, however, that our determination would not differ even if we utilize Faith Center’s estimate of “approximately \$16,500.” See n. 25, *supra*.

⁵³ Third Supplement, Att. C-2.

⁵⁴ This number, \$78,377.17, is reached by subtracting the captioning quote of \$12,480.00 from the excess of revenue over expenses of \$90,857.00.

⁵⁵ Third Supplement, Att. D-2. See also ¶ 11, *supra*.

⁵⁶ Contrary to the suggestion by Consumer Groups, we do not require petitioners to demonstrate that they negotiated with closed captioning service providers for captioning costs that are lower than the quotes they provide to the Commission, or to identify the most affordable provider or most reasonable rates. See ¶ 13, *supra*. Consumer Groups do not cite to any authority in support of such a requirement, and generally information on captioning costs from multiple sources has been sufficient to aid the Bureau in its analysis of the impact that closed captioning obligations can have on a petitioner’s programming operations. See *Anglers Reversal Order*, 26 FCC Rcd at 14955-56, ¶ 28, n.101 (citing, e.g., *Outland Sports*, Memorandum Opinion and Order, 16 FCC Rcd 13605, 13607, ¶ 7 (noting the importance of demonstrating efforts “to seek information from various sources on the cost of captioning”); *Wild Outdoors 2001*, 16 FCC Rcd at 13614, ¶ 7 (noting the need for “a listing of various prices quoted” as evidence of “their efforts to find companies that provide captioning at a reasonable cost”). Similarly, we do not require petitioners to document their attempts to seek sponsorships. See ¶ 13, *supra*. See *Anglers Reversal MO&O*, 26 FCC Rcd at 14951, ¶ 28 (requiring each petitioner to “indicate” whether it has sought additional sponsorship sources or other sources of revenue for captioning.)

16. Faith Center asserts that, if not granted a captioning exemption, it will have to cease production of its telecast.⁵⁷ Because we conclude, based on the information provided by Faith Center, that Faith Center has adequate financial resources to enable it to afford the costs of captioning its television program,⁵⁸ we do not find credible Faith Center's claim that it could not afford to continue its program if it must provide closed captioning. Accordingly, we find that it would not be "economically burdensome" for Faith Center to caption its program within the meaning of the Communications Act and the Commission's rules.

IV. ORDERING CLAUSES

17. Accordingly, pursuant to section 713 of the Communications Act of 1934, as amended, and sections 0.141(f) and 79.1(f) of the Commission's rules,⁵⁹ IT IS ORDERED that the Petition filed by Faith Center, requesting an exemption from the Commission's closed captioning rules, IS DENIED.

18. IT IS FURTHER ORDERED that Faith Center shall commence closed captioning of the programming that is the subject of its Petition no later than April 22, 2015, which is 90 days from the date of the release of this Order.

19. IT IS FURTHER ORDERED that Faith Center must inform the Commission of the date on which it commences closed captioning of its programming in accordance with this Order and the Commission's rules by e-mail to captioningexemption@fcc.gov, which the Commission will make available for public inspection.⁶⁰ The e-mail attachment must reference Case Identifier CGB-CC-0731.

FEDERAL COMMUNICATIONS COMMISSION

Karen Peltz Strauss
Deputy Chief
Consumer and Governmental Affairs Bureau

⁵⁷ See ¶ 7 and ¶ 12, *supra*.

⁵⁸ See ¶¶ 14-15, *supra*.

⁵⁹ 47 U.S.C. § 613, 47 C.F.R. §§ 0.141(f), 79.1(f).

⁶⁰ See *Notice of New Electronic Filing Procedures for Television Closed Captioning Exemption Requests*, Public Notice, 29 FCC Rcd 3960 (CGB 2014).