

## **Consumer Advisory Committee Recommendation Regarding DTV Captioning**

The Consumer Advisory Committee respectfully requests that the FCC take a leadership role in coordinating solutions to the problems associated with viewing closed captions on television equipment and services based in digital signals, during and after the digital TV transition. To this end, the CAC requests that the FCC take the following specific actions:

The Commission should convene a technical working group with FCC engineers, representatives from the broadcasting, cable, satellite industries, television and set top box equipment manufacturers, MVPDs, captioning providers, electronic retailers and captioning consumers to identify and resolve problems associated with passing through and receiving closed captioning on digital televisions. While this group is being formally established, FCC engineers should work toward helping to troubleshoot the problems discussed above and should coordinate with the various segments of the DTV industry to achieve solutions to these problems.

The Commission should clarify, in response to the request for clarification submitted by the prior CAC on November 6, 2006 (attached), that the new network exemption contained in its closed captioning rules at 47 C.F.R. Part 79.1 does not apply to networks airing programs in high definition when those networks are showing substantially the same programming as they exhibited in an analog or standard definition format. The new network exemption was intended to extend to networks just starting their businesses, not to those merely changing the form of their transmissions. Although this request was made by the previous CAC, no FCC response was ever received.

As a centralized resource for the receipt of consumer complaints related to the DTV transition and closed captioning, the Commission should facilitate the filing of and response to such complaints, to ensure that these receive prompt and effective resolution prior to February 17, 2009.

The Commission should provide online information about technical and practical solutions to the captioning problems noted above. Such information should be useful to engineers at television stations, cable and satellite companies trying to determine why digital captions are not showing up properly in some situations. Captioning users would benefit by having access to this information and being able to refer their local TV stations or MVPDs to this resource when they identify a particular captioning problem. For example, this may help cable and satellite technicians understand the need to turn digital captions on when installing set-top boxes, and not to blame the viewer's television, television channels, or captioning companies.

The Commission should provide guidance on which DTV converter boxes provide different captioning and accessibility features. There is great demand for clear, comprehensive and reliable information about both the mandatory and voluntary features of each of the NTIA-certified converter boxes. For example, while NTIA requires that each certified box pass through CEA-608 closed caption data (also known as line 21), each box may have other access features that people with disabilities may need or want. Implementation of the NTIA requirements already varies widely among the manufacturers and the successful handling of closed caption data is likely to be properly executed in only a smaller subset of the certified boxes. For example, people who are deaf or blind need information on the following:

Does the remote control have a captioning button on it?

Does the box decode CEA-708 captions (which are user adjustable) as well as pass-through CEA-608 caption data?

Does the box support the SAP channel and video description? If so, does the SAP button have a tactile marker?

Will the user interface be accessible to a person who is blind or has low vision?

The Commission should direct the DTV industry to take the following steps to alleviate the captioning problems noted above:

Include captioning setup and features instructions with television and set top/converter box equipment post captioning instructions, including possible interactions with additional equipment, on company websites.

Train technicians to install and educate customers who request captioning information

Respond to and resolve captioning questions in a timely manner: provide immediate communication with the caption viewer to determine the nature of the problem and a proposed response

Properly encode captions on HD channels (local and national networks, cable and satellite providers

Monitor HD captions as part of master control monitoring (local and national networks, cable and satellite providers

Work with cable companies to resolve issues that may be caused by cable affiliates

Step up enforcement of DTV rules with respect to implementation of the 708 captioning standard, so that viewers can control the font, color, size, and background of captions. There are reports that broadcasters have yet to fully implement this standard in the programming they are producing and distributing. As a consequence, caption viewers are being kept from reaping the full benefits of digital television.

Adopted June 27, 2008

(15 members in favor; 0 members opposed; 6 members abstaining)

Debra Berlyn, Chairperson  
Consumer Advisory Committee