

## Required Information and Documentation to Provide in Filing a New Petition to be Exempt from the Television Closed Captioning Requirements

To support a claim that providing closed captions would be economically burdensome, a petitioner must file a petition with the Federal Communications Commission (FCC) containing the following required information and documentation:

- Name of the programming for which an exemption is requested. Provide the specific name of each program for which you request an exemption. Petitions that request an exemption for an entire channel of video programming must identify the channel for which an exemption is requested.
- The nature and cost of the closed captions for the programming. Provide information about your organization's costs associated with closed captioning each specific program for which you are requesting an exemption, and your efforts to find companies that can provide captioning at a reasonable cost.
  - Include documentation for two or more recent quotes you received from closed captioning services to provide closed captioning specifically for your program(s). "Recent" means a quote you obtained within one year of the date of your petition.
  - For each of these quotes, include an estimate of your annual cost to caption your program(s). For example, multiply the cost to caption each of your program episodes by the number of program episodes you expect to produce and shown in one year.
  - In addition to providing the quotes described above, if you have considered buying equipment to produce the closed captioning yourself, provide information about the costs to purchase and maintain the equipment and for any costs associated with hiring personnel to operate the equipment for one year.
- The impact of captioning on your programming activities. Explain in detail the impact that having to provide closed captioning will have on your programming activities. For example, describe the extent to which your program(s) might not continue to be shown if you are required to provide captions.
- Your financial resources.
  - Provide information about all income and all expenses for your organization, as follows:
    - Provide a statement of all income (cash receipts) and all expenses for each of the two most recent completed calendar or fiscal years. Cash receipts include money received from all sources for your entire organization, not just the video program(s). Cash expenses include money paid for purchases, expenses, and settlement of obligations throughout the year for

your entire organization, not just the video program(s). List, describe, and provide the dollar amount for each type of cash receipt (such as sales, donations, grants, earnings, revenues, dividends, or interest) and for each type of cash expense (such as wages, fees, supplies, rent, mortgage interest, depreciation, or taxes) for the two most recent completed calendar or fiscal years. Cash receipts and cash expenses must each be subtotaled. You must provide a total net dollar amount (sometimes called a surplus or deficit, or profit or loss) for all cash receipts and all cash expenses for each year. Note: In order to meet the requirement of this paragraph, you must provide this information in a stand-alone statement that explicitly lists this information. The submission of documents (such as tax returns, bank statements, or invoices) that may contain some of this information, but which does not explicitly list this information will not satisfy this requirement.

- Provide audited financial statements or an accountant's review or compilation of financial statements for the two most recent completed calendar or fiscal years. If such statements have not been prepared by or for you or your organization, provide complete federal income tax returns or tax-exempt information returns, including all schedules and attachments, for your organization for the two most recent completed calendar or fiscal years, if such returns were filed. If your organization is a sole proprietorship, provide complete personal federal tax returns, including all schedules and attachments, for the two most recent completed calendar or fiscal years for the sole proprietor. If your organization is a Subchapter S corporation, limited liability company (LLC), professional corporation (PC), or partnership, in addition to the organization's tax returns, provide the complete personal federal tax returns, including all schedules and attachments, for the two most recent completed calendar or fiscal years for the shareholders or partners. Redact (black out) sensitive information, such as account numbers and social security numbers, before submitting personal tax returns or other documentation. If none of these documents have been prepared by or for you or your organization, you must provide a written statement to that effect.
- Provide information about the current assets and current liabilities of your overall organization, as follows:
  - Provide a statement of all current assets and current liabilities of the overall organization as of the last day of the two most recent completed calendar or fiscal years. Current assets and current liabilities must each be totaled. List, describe, and provide the dollar amount for each type of current asset and current liability so listed. This requirement may be satisfied by providing complete balance sheets that identify current assets and current liabilities as of the last days of the two most recent completed

calendar or fiscal years. Balance sheets that do not identify current assets and current liabilities do not satisfy this requirement. If you have no current liabilities, provide a statement to that effect.

- Current assets are any asset (or resource) as of the last day of the calendar or fiscal year that can be converted into cash within the following year.
  - Examples of current assets for an individual or sole proprietor: cash; checking accounts; savings accounts; investment accounts including money market accounts; certificates of deposit and bonds that will mature within one year; stocks; and trust/endowment account amounts available for that year.
  - Examples of current assets for a corporation: cash; accounts receivable; inventory; marketable securities; and prepaid expenses.
- Current liabilities are obligations (or debts) as of the last day of the calendar or fiscal year that must be paid within the following year.
  - Examples of current liabilities for an individual or sole proprietor: any loans (principal and interest) and mortgage payments (principal, interest, taxes, and insurance) due to be paid within one year; the balance of any credit cards as of the last day of the year; and unpaid bills as of the last day of the year (utility bills, and medical bills).
  - Examples of current liabilities for a corporation: accounts payable; accrued liabilities; notes payable; current portion of long-term debt; and taxes payable.
- Video programing distributor assistance. Verify that you have sought assistance (such as funding or services) from your video programming distributor(s) specifically for the provision of closed captioning on your programming. A distributor is any TV broadcast station, cable provider, or satellite system that shows your program(s). State whether you have asked your distributor(s) to help you provide captions, whether this request was accepted or rejected, and, if accepted, describe the assistance that each distributor has offered to provide.
- Additional sponsorships. Verify that you have sought additional sponsorships (other than from your program distributor) or other sources of revenue specifically for the provision of closed captioning on your programming. State your efforts to obtain such revenue, and whether these requests were accepted or rejected. If rejected, state whether you do not otherwise have the means to provide captioning. If accepted, describe the assistance that each sponsor has offered to provide. If your organization is precluded from seeking outside assistance or you cannot solicit and/or accept such sponsorships, provide the reason why you are unable to do so.

- Your type of operations. Describe your overall operations.
- Affidavit or declaration. Your submission must contain a detailed, full showing, supported by a signed and sworn affidavit or signed declaration made under penalty of perjury attesting to the truthfulness and accuracy of the information and representations contained in your submission. The affidavit or declaration must be dated. An affidavit is a written statement made under oath, before an official who is authorized to administer oaths, such as a notary public or county clerk. A declaration is a written statement made under penalty of perjury, such as “I declare under penalty of perjury that the information contained in this submission is true and correct.” (*See* 47 C.F.R. § 1.16.)

You may also provide other information that you deem relevant to our determination of your exemption request pertaining to the impact that captioning will have on your program or programming activities and any available alternatives that might constitute a reasonable substitute for the closed captioning requirements including, but not limited to, text or graphic display of the content of the audio portion of the programming.