

**STATEMENT OF COMMISSIONER AJIT PAI
APPROVING IN PART AND CONCURRING IN PART**

Re: *Closed Captioning of Video Programming; Telecommunications for the Deaf and Hard of Hearing, Inc, Petition for Rulemaking, CG Docket No. 05-231.*

Video programmers and distributors each play an important role with respect to the provision and quality of closed captions. And today's *Order*, at its core, embraces a common-sense approach to allocating responsibility for complying with the Commission's closed captioning quality rules. A distributor will be responsible for those aspects of closed captioning quality over which it has primary control, and a programmer will be responsible for those aspects of closed captioning quality over which it has primary control.

Of course, the devil is in the details. For example, this *Order* establishes a compliance ladder for our closed-captioning quality rules, which is designed to encourage parties to quickly address and remedy problems without involving the agency's Enforcement Bureau. I had concerns about language originally in the *Order* that would have delegated to the Consumer and Governmental Affairs Bureau vast discretion to avoid the compliance ladder and refer matters directly to the Enforcement Bureau. This would have defeated the entire purpose of the compliance ladder.

Through some tough negotiations, we were able to significantly limit the possibility of evading the ladder. The compromise language may not be ideal, but it is good enough to merit my concurrence. Accordingly, I am voting to approve in part and concur in part.