

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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

**JOINT PETITION FOR TEMPORARY EXTENSION OF
THE NATIONAL ASSOCIATION OF BROADCASTERS, TELECOMMUNICATIONS FOR THE DEAF
AND HARD OF HEARING, INC., NATIONAL ASSOCIATION OF THE DEAF, HEARING LOSS OF
AMERICA, AND THE TECHNOLOGY ACCESS PROGRAM AT GALLAUDET UNIVERSITY**

The National Association of Broadcasters (NAB)¹, along with Telecommunications for the Deaf and Hear of Hearing, Inc. (TDI), the National Association of the Deaf (NAD), the Hearing Loss Association of America (HLAA) and the Technology Access Program at Gallaudet University (TAP) (collectively, the Consumer Groups), recognize the importance of providing news content that is accessible to all Americans. While some broadcasters currently use enhanced Electronic Newsroom Technique (Enhanced ENT) to provide news captions, they are also working on fully automated solutions that aim to improve the quality of captions and will eventually phase out of ENT.

Under the FCC’s Enhanced ENT rules, NAB is tasked with preparing and submitting a report, in consultation with the Consumer Groups, by June 30, 2015, on broadcasters’ experience with the Enhanced ENT rules. The report will also discuss the extent to which

¹ NAB is a nonprofit trade association that advocates on behalf of local radio and television stations and broadcast networks before Congress, the FCC and other federal agencies, and the courts.

Enhanced ENT has been successful in providing equal access to news programming.² After evaluating the information available to date, NAB and Consumer Groups believe that an extension of time is necessary to properly assess industry and consumer reaction to Enhanced ENT. Pursuant to Section 1.46 of the Commission's rules,³ NAB and the Consumer Groups therefore request a six-month extension for submission of this important report to December 30, 2015 to facilitate a more comprehensive look at the Enhanced ENT landscape.

I. Background

ENT is an automated process that converts text from a teleprompter into captions. The FCC has recognized that many broadcast stations have significant concerns about their ability to provide local news if unable to provide captions through ENT. Many broadcasters still have these concerns. The challenge with ENT is that unscripted content—including weather, sports and live programming—would not air with captions.

In response to consumer complaints about the lack of captions on unscripted news content, the broadcast industry proposed ENT Best Practices (Best Practices), which incorporated enhanced ENT techniques to improve the quality and amount of local news captioning.⁴ The FCC adopted the Best Practices and required NAB, in consultation with the Consumer Groups, to prepare and submit a report on their experiences with Enhanced ENT, and the extent to which they have been successful in providing full and equal access to news programming.⁵

² 47 C.F.R. § 79.1(e)(11)(v).

³ 47 C.F.R. § 1.46(b).

⁴ See *Closed Captioning of Video Programming*, Report and Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking, 29 FCC Rcd 2221, § 81 (2014).

⁵ *Id.*, ¶ 82.

II. Extension Request

In early May, NAB met with representatives from the Consumer Groups to begin the process of developing the required ENT report. The stakeholders discussed methods to collect broad and comprehensive data from consumers and industry. This included an opportunity for as many consumers as possible to communicate their experiences with Enhanced ENT as well for NAB to complete a comprehensive industry survey. As the stakeholders have formalized our plan over the ensuing weeks, it has become clear that, to produce the most useful report, more time is necessary to fulfill the FCC's charge.

A. Proposed Data Collection Process

NAB and the Consumer Groups propose a three-pronged data collection process aimed at providing a well-rounded data set to support a thorough and fact-driven report. The three prongs are: (1) a consumer survey; (2) consumer focus groups/feedback; and (3) an industry survey.

Consumer Survey. NAB and the Consumer Groups plan to conduct a consumer survey electronically across a variety of deaf and hard-of-hearing advocacy organizations. The survey, which is currently being finalized, will allow consumers to describe their experience firsthand with Enhanced ENT.

Video Clip/Focus Groups. NAB anticipates orchestrating a focus group of 10-12 people who will view clips of Enhanced ENT captioned news programming. The goal will be to garner feedback and explore consumers' real-time reactions. This approach is essential as ENT is not permitted in areas where NAB and the Consumer Groups are located, and thus local consumers are unlikely to have personal experience with Enhanced ENT.

Industry Survey. The third prong is an industry survey prepared and distributed by NAB to broadcasters nationwide. The survey will ask broadcasters about their experiences,

their compliance with the Enhanced ENT Best Practices and the impact that Enhanced ENT has on their newsrooms and stations.

B. Six Months is Appropriate Given the Data Collection Goals

With the breadth of surveys and focus groups planned, NAB and the Consumer Groups believe that at least six additional months are needed to complete the report. A six-month extension is required because of the significant task of preparing, distributing and collecting the consumer survey. Beyond distribution, it is also essential to follow up with those surveyed to ensure a significant, statistically accurate response rate. Moreover, once the study is complete, both NAB and the Consumer Groups will need time to independently analyze the data.

Similarly, it will take time and effort to organize and conduct a focus group. NAB and the Consumer Groups will need to secure proper locations, prepare interview questions and determine which video clips the focus group will review. Once the focus group research is completed, it will take time to gather and review the results.

The industry survey will also take time to prepare, distribute and analyze. In order to get an adequate response rate (i.e., more than 25%), NAB will have to pursue busy station managers (we estimate nearly 800) to complete and return the survey. NAB will then review and analyze the responses.

Once the research is completed and the findings are analyzed, NAB will consult with the Consumer Groups and prepare the report. Consumer Groups will likely develop comments or thoughts of their own. Given this multi-step process and the overall importance of the report to consumers and industry, NAB and the Consumer Groups agree that a six-month extension is warranted.

Respectfully submitted,



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