SINCLAIR
BROADCAST GROUP

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Hunt Valley, Maryland 21030
410 568 1500
sbgi.net

SUSAN DOMOZYCH
Senior Paralegal
Direct Dial 410 568 1500
SDomozyc@sbgi.net

November 15, 2019

Mr. Theodore Marcus
Federal Communications Commission
Disability Rights Office
445 12th Street S.W.
Washington, D.C. 20554

Re: Further Notice of Informal Complaint – Lise Hamlin
Ticket No. 3305097

Dear Mr. Marcus:

At the direction of WJLA in Washington, D.C., Facility ID 1051 (the "Station"), this letter responds to the above-referenced Further Notice of Informal Complaint (the "Further Notice"), issued on October 25, 2019, and updated on November 8, 2019, relating to closed captioning.

As you know, on October 31, 2019, we had a telephone discussion to discuss the reason for the Further Notice. You advised me during our call that the complainant felt that the video clip provided as part of the Station's response filed on August 15, 2019, was not sufficient to support the Station's response. As I advised you during our call, the Commission's Zendesk system has a 20 MB size limit, which severely limits the length of video clips for upload. Accordingly, concurrent with the filing of this letter, I will send the full video (791 MB) to you, Ms. Morris, and Ms. Hamlin via OneDrive. Please be aware that the full video of the June 2, 2019 weather cut-in was only available in a lower resolution. Although the text in the lower resolution version of the weather cut-in is not as clear as at the time of broadcast, you can see that the station visually conveyed important storm-related information in the crawl and the on-screen informational graphics, such as the counties affected, possibility and size of hail, and the duration of the warnings issued.

The Station has and continues to comply with the Commission's closed captioning rules.

Please contact me if you have any questions or need any further information.

Sincerely yours,

Susan E. Domozych
Senior Paralegal

cc: WJLA
Ms. Lise Hamlin

Kevin O'Tool

From: FCC <consumercomplaints@fcc.gov>
Sent: Friday, November 8, 2019 12:09 PM
To: Susan Domozych
Subject: Serve ticket#: 3305097 Last Name: Hamlin

##- Please type your reply above this line -##

Due Date: 12/08/2019
Serve Date: 11/08/2019

***
Link to Ticket: https://fcctest.zendesk.com/agent/tickets/3305097
Subject: no captioning on emergency information
Tags: abc attachment_previous carrier_response_date_added carrier_response_pending directv_loud_commercial district_of_columbia_complaining_about dro_complaint dro_noic_79_1 dro_noic_79_2 dro_serve_done dro_sinclair_cc email_preferred_method emergency_information_on_tv maryland maryland_viewed_heard no_filing_on_behalf satellite_tv
Email: lhamlin@hearingloss.org
Method: - Satellite
Issue:- -
Number subject to complaint:

Company Name:
Other Company Name:
Account #:
First: Lise
Last: Hamlin
Address: 7910 Woodmont Avenue, Suite 1200
Address 2:
City: Bethesda
State: maryland
Zip: 20814
Phone where to be contacted: 301-657-2248
Filing on Behalf of Someone: No
Relationship:
First Name:

Last Name:
Serve Status: carrier_response_pending

Ticket Information:

Shavonne Morris (FCC Complaints)

Nov 8, 12:08 PM EST

Private note

FURTHER NOTICE OF INFORMAL COMPLAINT (FNOIC)

The Federal Communications Commission (FCC or Commission) is serving your company with this informal complaint that Lise Hamlin filed with the Disability Rights Office (DRO). The informal complaint concerns obligations to provide televised emergency information in an accessible manner. We are inquiring into this matter pursuant to sections 713 and 4(i) of the Communications Act of 1934, as amended (the Act), 47 U.S.C. §§ 613, 154(i), and section 79.2 of the Commission's rules, 47 CFR § 79.2.

This Notice of Informal Complaint (Notice or NOIC) directs your company, as the broadcaster or multichannel video programming distributor (MPVD), to respond fully and directly to each and every material allegation raised in the informal complaint. In your response, please provide an explanation of why you believe you are in compliance with controlling law. If your company asserts that the audible emergency information was made accessible through closed captioning, and the complaint concerns the quality of the closed captioning, please include in your response how the closed captions at issue were produced. Closed captions – no matter how they are produced, for example, by the use of the electronic newsroom technique (ENT), where permitted, by a captioning service, or by using automated speech recognition technology – are subject to the FCC's closed captioning quality standards related to accuracy, synchronicity, completeness, and placement. 47 CFR § 79.1(j). If you need to take steps to satisfy the informal complaint and come into compliance, please summarize your proposed actions and the timeframe for completion.

****NOTE: The consumer has advised, and DRO confirmed, that the "duration" element of the aural report was not visually presented in the clip the company provided with its response. As such, the clip does not corroborate the company's compliance position as stated in its response. If the company has additional footage from the excised balance of the report at issue (i.e., the report apparently aired between**

roughly 6:02 and 6:09 - the clip sent was substantially less) that corroborates its representation, it should forward that material to DRO within 15 days.**

Please submit your response to the Commission by replying to this email or via the FCC Consumer Help Center. Recordings may be sent by U.S. postal mail to the Disability Rights Office, Federal Communications Commission, 445 12th Street SW, Washington, DC 20554. Be sure to verify the complainant's name and the ticket number. In addition, please include the name of a company representative to whom all future correspondence about the complaint should be directed. You are further directed to send a copy of the response to the complainant in the preferred format requested by the consumer, at the same time the response is provided to the Commission. Finally, please retain all records that are or may be pertinent to the allegations raised in the complaint for one year after the date of this Notice, unless otherwise instructed. To prepare your response to this Notice, you should also check the ticket at https://consumercomplaints.fcc.gov/access where the complainant may have filed additional complaints or other supporting evidence against your company. These supplemental materials will be associated with the same ticket number.

Failure to respond to a Commission inquiry is considered a violation of a Commission order and can result in the imposition of fines by the Commission. Under section 503(b) of the Act, any person who is determined by the Commission to have willfully or repeatedly failed to comply with any of the provisions of the Act, or any rule or order issued by the Commission under the Act, shall be liable for a forfeiture penalty.

The Commission requests that your company provide a thorough response to the issues raised in this complaint, and that it use its best efforts to resolve this complaint in a timely manner. Cursory responses will be rejected. The Commission intends to make consumer complaint data publicly available - in both aggregate and individual form yet consistent with the Commission's privacy obligations. This data will include how your company has addressed consumer complaints.

If you have any questions regarding this Notice or the informal complaint, please contact DRO at DROcarriersupport@fcc.gov or by calling 202-418-2517. In your message, please include your name, your company's name, the ticket number, and your specific questions.

Shavonne Morris (FCC Complaints)

Oct 31, 1:15 PM EDT

Private note

On October 31, 2019, DRO staff met by phone with Susan Domozych of WJLA. Ms. Domozych had questions in order to clarify the consumer's statements about the company's response with respect to the duration element of the broadcast. We explained the consumer's concerns as we understood it, and advised that the clip we received with the response did not contain such material, although we recognized the clip was only a portion of the actual segment. Ms. Domozych advised that there are size limitations in our system probably explaining why the material was missing, but that she would look for the additional material and arrange to submit it with the ticket.

Robert McConnell (FCC Complaints)

Oct 25, 4:40 PM EDT

Private note

Ms. Domozych,

Please disregard the FNOIC which was sent to Sinclair earlier today. We will follow up with additional information next week.

Thank you,

–Robert McConnell (CGB/DRO)

Shavonne Morris (FCC Complaints)

Oct 25, 2:53 PM EDT

Private note

FURTHER NOTICE OF INFORMAL COMPLAINT (FNOIC)

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Consumer feels that the carrier response attached video does not convey visually the "expected duration of the severe weather" contrary to the allegation made in the WJLA response.

Your response is due no later than thirty (30) days from the date of this Notice.

Please include with your response a recording, such as a DVD or electronic file, of the time(s) and date(s) of the event(s) described in the complaint.

Please submit your response to the Commission by replying to this email or via the FCC Consumer Help Center. Recordings may be sent by U.S. postal mail to the Disability Rights Office, Federal Communications Commission, 445 12th Street SW, Washington, DC 20554. Be sure to verify the complainant's name and the ticket number. In addition, please include the name of a company representative to whom all future correspondence about the complaint should be directed. You are further directed to send a copy of the response to the complainant in the

preferred format requested by the consumer, at the same time the response is provided to the Commission. Finally, please retain all records that are or may be pertinent to the allegations raised in the complaint for one year after the date of this Notice, unless otherwise instructed. To prepare your response to this Notice, you should also check the ticket at https://consumercomplaints.fcc.gov/access where the complainant may have filed additional complaints or other supporting evidence against your company. These supplemental materials will be associated with the same ticket number.

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Robert McConnell (FCC Complaints)

Oct 25, 2:43 PM EDT

Private note

Consumer feels that the attached video does not convey visually the "expected duration of the severe weather" contrary to the allegation made in the WJLA response.

Shavonne Morris (FCC Complaints)

Oct 22, 9:22 AM EDT

Dear Lise,

Your Ticket No. 3305097 was served on ACC LICENSEE, LLC for its review and response.

ACC LICENSEE, LLC notified us that it responded to you. You should have received a copy of the response via postal mail or in the preferred format you requested. The Disability Rights Office reviewed the response and determined that the issues in your complaint have been resolved.

Your complaint is closed as of today.

Thank you for your complaint and help in furthering the FCC's mission on behalf of consumers.

Susan E. Domozych (FCC Complaints)

Aug 15, 4:25 PM EDT

Private note

Please see the attached response, a copy of which was sent to the complainant via email today. Thank you.
Please see our response and attachment.

Attachment(s)
wjla fcc response hamlin.pdf
wjla june 2 cc log.pdf
wjla june 2 weather cut in clip.wmv

Theodore Marcus (FCC Complaints)

Aug 1, 9:31 AM EDT

Private note

OFFICIAL NOTICE OF INFORMAL COMPLAINT

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Lhamlin

Jun 3, 10:33 AM EDT

Lhamlin was not signed in when this comment was submitted. Learn more

June 2, between approximately 6:04 - 6:12 pm, WJLA, ABC Channel 7 in Washington, DC, interrupted their televised national news broadcast to alert viewers of a Severe Thunderstorm Warning in the viewing area. That storm had damaging winds and reported hail. It was clearly enough of a event to break into their national news programming to warn viewers, yet for the approximately 8 minutes that they broke into the broadcast, there was no captioning, crawl or other text to allow me to understand what was being said. During the broadcast of the

national news, captioning was on both before and after the emergency information was provided. I was viewing this at a nursing home: they do have satellite service, but I'm unsure whether they subscribe to is DirectTV, or other service provider.

You are an agent. Add a comment by replying to this email or **view ticket in Zendesk Support**.

Ticket #	3305097
Status	Open
Requester	Lhamlin
CCs	FCC Consumer Help Center, FCC Consumer Complaints
Group	Sinclair Broadcast Group, Inc. (DRO)
Assignee	Susan E. Domozych
Priority	–
Type	Ticket
Channel	Web Form

This email is a service from FCC Complaints.