

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 27

#### Miscellaneous Wireless Communications Services

##### CFR Correction

In Title 47 of the Code of Federal Regulations, Parts 20 to 39, revised as of October 1, 2013, on page 351, in § 27.50, the stars following paragraph (d)(1) are removed and paragraphs (d)(1)(A) and (B) and (d)(2)(A) and (B) are reinstated to read as follows:

#### § 27.50 Power limits and duty cycle.

\* \* \* \* \*

(d) \* \* \*

(1) \* \* \*

(A) an equivalent isotropically radiated power (EIRP) of 3280 watts when transmitting with an emission bandwidth of 1 MHz or less;

(B) an EIRP of 3280 watts/MHz when transmitting with an emission bandwidth greater than 1 MHz.

(2) \* \* \*

(A) an equivalent isotropically radiated power (EIRP) of 1640 watts when transmitting with an emission bandwidth of 1 MHz or less;

(B) an EIRP of 1640 watts/MHz when transmitting with an emission bandwidth greater than 1 MHz.

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 79

#### [CG Docket No. 05-231; FCC 14-12]

#### Closed Captioning of Video Programming; Telecommunications for the Deaf and Hard of Hearing; Petition for Rulemaking

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Commission adopts non-quantitative quality standards for the closed captioning of pre-recorded, live, and near-live programming to ensure that caption viewers have full access to television programming; establishes best practices for the provision of good quality captions; imposes new requirements on broadcasters using Electronic Newsroom Technique (ENT) based on a best practices proposal offered by the National Association of

Broadcasters (NAB); and takes various other actions to clarify and improve the Commission's closed captioning rules.

**DATES:** Effective April 30, 2014, except for 47 CFR 79.1(e)(11)(i) and (ii), which shall be effective June 30, 2014, and 47 CFR 79.1(c)(3), (e)(11)(iii), (iv) and (v), (j), and (k) of the Commission's rules, which contain new information collection requirements that have not been approved by the Office of Management and Budget (OMB). The Commission will publish a separate document in the **Federal Register** announcing the effective date.

**FOR FURTHER INFORMATION CONTACT:** Eliot Greenwald, Consumer and Governmental Affairs Bureau, Disability Rights Office, at (202) 418-2235 or email [Eliot.Greenwald@fcc.gov](mailto:Eliot.Greenwald@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Closed Captioning of Video Programming; Telecommunications for the Deaf and Hard of Hearing; Petition for Rulemaking Report and Order (Order)*, document FCC 14-12, adopted on February 20, 2014 and released on February 24, 2014, in CG Docket No. 05-231. In document FCC 14-12, the Commission also seeks comment in an accompanying Further Notice of Proposed Rulemaking (*FNPRM*), which is summarized in a separate **Federal Register** Publication. The full text of document FCC 14-12 will be available for public inspection and copying via ECFs, and during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street SW., Room CY-A257, Washington, DC 20554. It also may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street SW., Room CY-B402, Washington, DC 20554, telephone: (800) 378-3160, fax: (202) 488-5563, or Internet: [www.bcpweb.com](http://www.bcpweb.com).

Document FCC 14-12 can also be downloaded in Word or Portable Document Format (PDF) at: <http://www.fcc.gov/encyclopedia/disability-rights-office-headlines>. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

#### Final Paperwork Reduction Act of 1995 Analysis

Document FCC 14-12 contains new information collection requirements. The Commission, as part of its continuing effort to reduce paperwork burdens, will invite the general public

to comment on the information collection requirements contained in document FCC 14-12 as required by the Paperwork Reduction Act (PRA) of 1995, Public Law 104-13, in a separate notice that will be published in the **Federal Register**.

#### Synopsis

1. Closed captioning is a technology that provides visual access to the audio content of video programs by displaying this content as printed words on the television screen. In addition to displaying text of verbal dialogue, captions generally identify speakers, sound effects, music, and audience reaction. Because closed captioning is hidden as encoded data transmitted within the television signal, consumers can turn the captions on or off.

2. In 1996, Congress added § 713 to the Communications Act (the Act), directing the Commission to prescribe rules for the closed captioning of televised video programming, 47 U.S.C. 613. Section 713(b) of the Act directs the Commission to prescribe regulations to ensure that "video programming first published or exhibited after the effective date of such regulations is fully accessible through the provision of closed captions" and that "video programming providers or owners maximize the accessibility of video programming first published or exhibited prior to the effective date of such regulations through the provision of closed captions. . . ." In 1997, the Commission adopted rules that now require captioning on all *new* English and Spanish language programming, both analog and digital, which is not specifically exempt from the Commission's rules. In addition, 75% of all nonexempt *pre-rule* English and Spanish language programming must be closed captioned. *Closed Captioning and Video Description of Video Programming; Implementation of Section 305 of the Telecommunications Act of 1996, Video Programming Accessibility*, MM Docket No. 95-176, Report and Order, (1997 *Closed Captioning Report and Order*); published at 62 FR 48487, September 16, 1997.

3. On July 23, 2004, advocacy groups representing individuals who are deaf and hard of hearing (Petitioners or Consumer Groups) filed a joint petition for rulemaking (*2004 Petition*) seeking amendments to the Commission's captioning rules pertaining to matters of captioning quality, scope, and enforcement. On September 2, 2004, the Commission placed the 2004 Petition on public notice. *Consumer and Governmental Affairs Bureau Reference*