



firstbaptistlavaca

"A Lighthouse for the River Valley, the Nation, and the World"

RECEIVED & INSPECTED

DEC 16 2005

FCC - MAILROOM

Commission's Secretary
Office of the Secretary
Federal Communications Commission
Attention: CGB Room 3-B431

12-15-05

To Whom It May Concern:

This is a formal petition for exemption to the Closed Captioning requirements on the basis of undue burden (47 C.F.R. & 79.1 (f)).

First Baptist Lavaca's broadcast is a local production of weekly church worship services. We are a small church located outside of Fort Smith, Arkansas. The program began two years ago as a ministry to inform local residents of the church's location, various ministries offered, style of worship, and to offer general religious teaching. The broadcast is aired locally in the River Valley of Western Arkansas, and we have no immediate plans to extend the viewing base beyond our current location.

First Baptist Lavaca does not employ a large broadcast media staff. The church staffs one full time manager position and one part time editor. The cost of providing additional staff positions to supply in house captioning is not a possibility for us.

We have also looked into purchasing the software and equipment in order to do our own closed captioning encoding, however, this proposition has proven to be expensive and time consuming with a steep learning curve. With our limited base of man power already exhausted, it would prove to be more work than we could accomplish.

We have also looked into having the program captioned and encoded by an outside third party. We have been quoted \$450 to \$600 per week for our program. This expense would create a serious hardship on our working budget to provide weekly captioning.

The financial base for the purchase of airtime comes from private volunteer donors and a few local businesses who help support the airing of this local broadcast. The church does not generate any income from the broadcast regarding sales of product or soliciting support funds.

Dr. Grant Ethridge,
Senior Pastor

100 West Main St.
P.O. Box 170
Lavaca, AR 72941

Tel: 479.674.2293
Fax: 479.674.5350
www.fbclavaca.com



firstbaptistlavaca

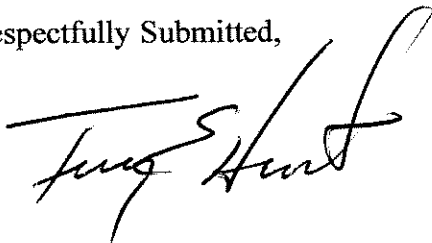
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I have sought captioning assistance from the distributor (KHBS) asking them to provide captioning as a service. They have responded with a temporary solution but one that is also very expensive making it prohibitive in our situation. I have enclosed a copy of their letter to me.

I have also enclosed a 2004 financial statement for your review in support of the financial burden that captioning would impose upon our church and media ministry.

Thank you for your consideration in this matter.

Respectfully Submitted,



Terry Hurt
Worship Pastor
Executive Producer
First Baptist Lavaca
terry@fbclavaca.com



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December 15, 2005

Commission's Secretary
Office of the Secretary
Federal Communications Commission
Attention: CGB Room 3-B431

To Whom It May Concern:

Upon reviewing our records, we have made a comparison chart of our income verses expenses for the year 2004. You will find this chart enclosed.

If you have further questions, please feel free to contact me at 479.674.2293.

Sincerely,

Norma Green
Financial Secretary

/ng

Encl.

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Senior Pastor

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HOMETOWN NEWS

KHBS FORT SMITH • KHOB FAYETTEVILLE



December 15, 2005

Mr Terry Hurt
First Baptist Church - Lavaca

Terry,
Per our earlier phone conversations and e-mails, I have found a way for the station to add closed captioning to your program. Keep in mind that this is a temporary solution as we will be using equipment that is not made for this purpose. We have found a way to import your script into our teleprompter and marry it to the video using our master control room's mixing board. This mixing board is used for the newscast so finding time to use it will be difficult. I will have to hire someone to run it for me and the cost for this will be \$100 an hour. I estimate my weekly charge to you at \$200, which would equate to an annual cost of \$10,400. Keep in mind that this equipment is not designed for this purpose and can only be used as a temporary solution.

Terry we have enjoyed a wonderful relation with your church and hope that we can continue to work with you through this transition.

Regards,

Mark McGeary
KHBS-TV

KHBS

Hearst-Argyle

KHOB

3415 N. ALBERT PIKE, FORT SMITH, AR 72904-5698
479-783-4040 FAX: 479-785-5375

TELEVISION, INC.

15 N. CHURCH, FAYETTEVILLE, AR 72701-5911
479-521-1010 FAX: 479-521-9124

T H E H O M E T O W N C H A N N E L . C O M

2004	INCOME	EXPENSES	OVER/UNDER
January	\$ 99,975.47	\$ 105,351.79	\$ (5,376.32)
February	\$ 152,158.74	\$ 103,659.56	\$ 48,499.18
March	\$ 109,796.34	\$ 118,564.30	\$ (8,767.96)
April	\$ 114,196.34	\$ 114,917.34	\$ (721.00)
May	\$ 133,211.41	\$ 114,051.04	\$ 19,160.37
June	\$ 116,274.76	\$ 168,040.79	\$ (51,766.03)
July	\$ 108,383.87	\$ 133,781.82	\$ (25,397.95)
August	\$ 154,503.57	\$ 112,871.66	\$ 41,631.91
September	\$ 110,057.71	\$ 135,970.25	\$ (25,912.54)
October	\$ 155,517.07	\$ 124,430.40	\$ 31,086.67
November	\$ 109,869.93	\$ 108,507.14	\$ 1,362.79
December	\$ 137,788.43	\$ 161,587.55	\$ (23,799.12)
TOTALS	\$ 1,501,733.64	\$ 1,501,733.64	\$ -

CGB CC-0039



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JAN 18 2006
FCC-MAILROOM

REFERENCE: CGB-CC-0039

Amelia Brown, Disability Rights Office
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

1-16-06

To Whom It May Concern:

In response to your letter dated December 22, 2005, this document is to supply you with the affidavit needed to complete our petition request.

I, Terry Hurt, do so promise that the supportive information submitted is correct to the very best of my knowledge. All figures are correct as stated and have not been misrepresented in any manner.

If you need further information or I can be of further assistance please feel free to contact me.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Terry Hurt". The signature is written in a cursive style with a large, sweeping "H".

Terry Hurt
terry@fbclavaca.com
479.651.2173

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Senior Pastor

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