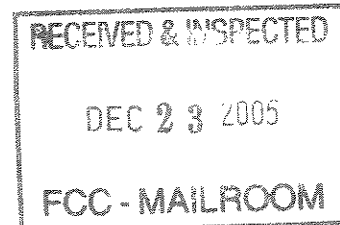


Office of the Secretary  
 Federal Communications Commission  
 Attention: CGB Room 3-B431  
 445 12th Street SW  
 Washington, DC 20554



## **Petition for Exemption from Closed Captioning Requirements**

### **Introduction**

The Unitarian Universalist Church in Rockford, IL was founded in 1841. It is a member congregation of the Unitarian Universalist Association. It is the mission of our church to be "a liberal, religious community which welcomes all to join in our quest for truth and meaning, dedication to social action and commitment to the Unitarian Universalist principles."

Our television program **FUSION**, has been broadcast on WIFR-TV in Rockford for 25 years. The program format includes some programs which feature sermons delivered by the minister of the church, or his guests, and some which have panel discussions or interviews addressing timely issues of interest to our community which we believe fit the broad definition of religion. The program begins with the statement that "*Fusion, according to Arthur Koestler is a new way of looking at things that leads us to wonder, inquire, and investigate. For some of us, religion is about wonder, and inquiry, and investigation, and it is to that understanding of religion that this program is dedicated.*" The broadcast of this program assists the church in encouraging such a religious attitude among its viewers.

The half hour program is broadcast by WIFR each Sunday morning at 7:30. It is produced by the church's senior minister with the assistance of the staff of WIFR-TV, in the station's studios. It has a loyal audience of some 4-5,000 households in our viewing area.

The church is entirely sympathetic to the reasons for the closed-captioning rule and the programs featuring sermons by our minister or his guests are scripted and have been voluntarily close captioned for some time. It is the programs featuring interviews and panel discussions that it would be an extraordinary burden to close caption in that they are not scripted.

For the reasons set forth below, The Unitarian Universalist Church hereby requests an undue burden exemption from the closed captioning rules for **FUSION**, pursuant to § 79.1(f) of the Commission's rules.

### **Nature and Cost of Closed Captions**

An internet search has revealed that the cost of closed captioning a half-hour program is about \$300 per half hour. As the attached program schedule for last season shows, we had 24 interview programs. Closed captioning would increase our cost by \$7,000 which is beyond our means. The result would be that we would have to cease producing the interview programs that address the community issues, and this would be a serious loss to us and to the community.

### **Impact on the Operation of the Program Provider**

The church, which has a membership of 430, strains to cover the current cost of producing the program as it is. The ministers time is already covered by the church's operating budget. The cost of studio and air time is \$450.00 per week, with additional costs for videotape and expenses of guests. The out-of-pocket cost to the church is usually about \$25,000 per year which is paid for in part from endowment income (\$10,000), in part by the operating budget (\$13,000), and a small portion by the donations of viewers (recently about \$2,000 per year since the church included it in its operating budget - most previous donors were church members.)

## **Financial Resources of the Program Provider**

The church is, of course, tax exempt. Its total operating budget for the year is \$470,000 for all staff, programs, and building expense. The bulk of the income is from member support. Again, if we were required to provide close captioning on the public interest programs, we would simply have to stop doing such programs.

## **Type of Operations of the Program Provider**

The Unitarian Universalist Church is entirely a non-profit religious institution. The program, **FUSION** is strictly an outreach of the church in service to the community.

## **Other factors**

Petitioner believes that the local, non-news exemption to the closed captioning rules also applies to **FUSION**.<sup>1</sup> As noted above, the program is produced and distributed locally, and the non-sermon programs produced by The Unitarian Universalist Church are of primarily local public interest. The episodes are not news, they do not have repeat value, and the electronic newsroom technique is not available. Notwithstanding the applicability of the exemption, we have filed this petition in an abundance of caution and for the purpose of establishing certainty.

## **Conclusion**

As shown by this Petition and its attachments, the Commission should grant a waiver of the closed captioning requirements in this case, because requiring closed captioning would create an undue burden. The costs of captioning would be excessively high and would have a significant impact on Petitioner's production of programs of public interest. The Petitioner's type of operations and financial resources are different in kind and magnitude from a mainstream programming provider. Because of the significant difficulty and expense of providing closed captions, a waiver under § 79.1(f) is warranted. If more information is needed, please contact me at the address provided below.

Respectfully submitted,

The Unitarian Universalist Church, Rockford, IL

By: 

The Rev. David R. Weissbard

Senior Minister

4848 Turner St

Rockford, IL 61107

815-968-6701

Fax: 815-398-6383

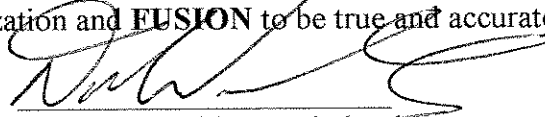
Dated: December 20, 2005

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<sup>1</sup> This exemption is self-implementing, and therefore Petitioner notes its applicability without expecting or requesting FCC action on it.

Declaration:

I, the Rev. David R. Weissbard, am Senior Minister of The Unitarian Universalist Church and I have reviewed the Petition for Exemption for Closed Captioning Requirements filed on behalf of the Unitarian Universalist Church in this matter, and, upon information and belief, believe the statements regarding our organization and **FUSION** to be true and accurate.



The Rev. David R. Weissbard  
Senior Minister

12/20/2005

# FUSION PROGRAMS

Season XXIV - 2004-05

AIR DATE	PGM #	LIB #	PROGRAM	speaker	type
09/12/04	XXIV-01	604	"Hope"	DRW	sermon
09/19/04	XXIV-02		Life & Lifestyle (CHIP)	Dr. Hans Diehl	interview
09/26/04	XXIV-03	605	"We Are Going to Die"	DRW	sermon
10/03/04	XXIV-04		Civil Discussions (interview)	Rkfd Urban Ministry	interview
10/10/04	XXIV-05		Musical Missions	Cameron & Kristina	interview
10/17/04	XXIV-06		Tom Hayden	interview	interview
10/24/04	XXIV-07	606	The Time Between	DRW	sermon
10/31/04	XXIV-08		Jim Scott	interview	interview
11/07/04	XXIV-09		After the Election	Chuck Sweeny	interview
11/14/04	XXIV-10		Chuck Sweeny II	Chuck Sweeny	interview
11/21/04	XXIV-11		ACLU - Ed Yohnka	Ed Yohnka interview	interview
11/28/04	XXIV-12	607	Reclaiming Wholeness	DRW	sermon
12/05/04	XXIV-13	608	AIDS DAY	DRW	sermon
12/12/04	XXIV-14		Why Are You Out There?	Kathy Kelly intrvw	interview
12/19/04	XXIV-15	609	What's Coming? (XMAS)	Armida Alexander	sermon
12/26/04	XXII-16		Rockford Schools	Dr. Thompson	interview
01/02/05	XXIV-17		The Worst Thing about Liberals	DRW	sermon
01/09/05	XXIV-18	610	UnCommon Denomination	DRW	sermon
01/16/05	XXIV-19		Campbell/King	interview	interview
01/23/05	XXIV-20	611	Money	DRW	sermon
01/30/05	XXIV-21		Muslim in America	Shpendim Nadzaku	interview
02/06/05	XXIV-22		Environmental Evangelists	Barlow & Dowd	interview
02/13/05	XXIV-23		Four Rivers Environment	panel	interview
02/20/05	XXIV-24	612	Doubt	DRW	sermon
02/27/05	XXIV-25		Muslim, Part II	Shpendim Nadzaku	interview
03/06/05	XXIV-26	613	Good Without God	DRW	sermon
03/13/05	XXIV-27		Soul of a Citizen	Paul Loeb - intrvw	interview

AIR DATE	PGM #	LIB #	PROGRAM	speaker	type
03/20/05	XXIV-28		Looking for Easy Street	Earl Grinols - intrvw	interview
03/27/05	XXIV-29	614	Who Was that Masked Man?	DRW	sermon
04/03/05	XXIV-30		Interfaith Relations	panel	interview
04/10/05	XXIV-31	615	Home, Bitter Home	DRW	sermon
04/17/04	XXIV-32		Heretical History	video	sermon
04/24/05	XXIV-33		Angelic Organics	interview	interview
05/01/05	XXIV-34	616	Scientist & Minister	Scott Prinster	sermon
05/08/05	XXIV-35		Jane's College	Paul Pribbenow	interview
05/15/05	XXIV-36	617	Religious Wars	DRW	sermon
05/22/05	XXIV-37		Walking the Labyrinth	Womanspace	interview
05/29/05	XXIV-38		Working for Peace in Iraq	Peggy Gish	interview
06/05/05	XXIV-39		off the air		
06/12/05	XXIV-39	618	The Worst Thing about UU	DRW	sermon
06/19/05	XXIV-40		Rockford's Hidden Treasure	Dr. Martin Lipsky	interview
06/26/05	XXIV-41		Roads & Sprawl	Brett Hulsey	interview
07/03/05	XXIV-42	619	Public Faith; Private Beliefs	Bill Neely	sermon

The Unitarian Universalist Church  
 Rockford, IL  
 FUSION FUND REPORT  
 2000-2005

INCOME

	2000-01	2001-02	2002-03	2003-04	2004-05
Endowment	\$11,844.00	\$13,400.00	\$9,583.00	\$6,526.00	\$10,783.00
Contributions	\$11,950.00	\$12,434.00	\$5,830.00	\$1,730.00	\$2,974.00
Church Budget	\$0.00	\$0.00	\$8,900.00	\$8,900.00	\$13,000.00
Tape Sales	\$1,344.00	\$2,508.00	\$1,458.00	\$1,445.00	\$1,010.00
total	\$25,138.00	\$28,342.00	\$25,771.00	\$18,601.00	\$27,767.00

EXPENSES

	2000-01	2001-02	2002-03	2003-04	2004-05
Air Time/Production	\$23,400.00	\$22,950.00	\$25,200.00	\$20,880.00	\$22,950.00
Tape Stock	\$477.00	\$628.00	\$852.00	\$429.00	\$476.00
Honoraria	\$250.00	\$400.00	\$250.00	\$300.00	\$250.00
Guest Travel	\$573.00	\$351.00	\$250.00	\$756.00	\$64.00
Duplication	\$667.00	\$316.00	\$403.00	\$338.00	\$366.00
Misc.	\$0.00	\$600.00	\$0.00	\$0.00	\$5.00
total	\$25,367.00	\$25,245.00	\$26,685.00	\$22,703.00	\$24,111.00

(Note: Expenses do not include Minister/Producer's time)

YEAR END

	2000-01	2001-02	2002-03	2003-04	2004-05	5 yr total
expense	\$25,367.00	\$25,245.00	\$26,685.00	\$22,703.00	\$24,111.00	
income	\$25,138.00	\$28,342.00	\$25,771.00	\$18,601.00	\$27,767.00	
net	(\$229.00 )	\$3,097.00	(\$914.00 )	(\$4,102.00 )	\$3,656.00	\$1,508.00



## Illinois Department of Revenue

Office of Local Government Services  
Sales Tax Exemption Section, 3-520  
101 W. Jefferson Street  
Springfield, Illinois 62702  
217 782-8881

August 26, 2005

UNITARIAN UNIVERSALIST CHURCH  
4848 TURNER STREET  
ROCKFORD IL 61107

We have received your recent letter; and based on the information you furnished, we believe

UNITARIAN UNIVERSALIST CHURCH  
of  
ROCKFORD, IL

is organized and operated exclusively for religious purposes.

Consequently, sales of any kind to this organization are exempt from the Retailers' Occupation Tax, the Service Occupation Tax (both state and local), the Use Tax, and the Service Service Use Tax in Illinois.

We have issued your organization the following tax exemption identification number: E9988-2256-05. To claim the exemption, you must provide this number to your suppliers when purchasing tangible personal property for organizational use. This exemption may not be used by individual members of the organization to make purchases for their individual use.

This exemption will expire on September 1, 2010, unless you apply to the Illinois Department of Revenue for renewal at least three months prior to the expiration date.

Office of Local Government Services  
Illinois Department of Revenue

**Home****Rates****How Much Will It Cost**

For creating the captions, we have an unbelievable rate of...

**Roll-Up: \$3.00 per Minute****Pop-Up: \$4.00 per Minute**

Sample rates for shows:

Duration 30 minutes for Roll-Up captioning:**Roll-Up**

Transcription	\$ 60.00
Cost of creating a captioning file (bulk of the work)	\$ 90.00
Encoding	\$125.00
<b>Total:</b>	<b>\$275.00</b>

**Pop-On**

Transcription	\$ 60.00
30 minutes of pop-on captioning @\$4.00 per minute	\$120.00
Encoding	\$125.00
<b>Total:</b>	<b>\$305.00</b>

If you are set up for encoding yourself then we will only charge you the cost of creating the caption file.

**Important:**

With closed captioning, time is of the essence. We encourage you to involve us with the project in the early stages of production. When you reach your fine cut, please send us a vhs copy with a VITC or an LTC time code. We'd like to get started on the close caption right away. Nevermind the changes that will happen between the fine cut and the master. We'll incorporate those to the closed captions withouth any extra cost as long as you let us know what and where they are (unless you completely overhaul the program in a major way). Our costs with captioning are heavily dependent on the turn-around time.

← **Transcription  
and Video Description  
rates**

**Subtitling  
rates** →



# CLOSED CAPTION MAKER

(Formally of Portsmouth, NH)

**822 Guilford Avenue #148 • Baltimore, MD 21202**  
**E-mail: [wGallant@CCmaker.com](mailto:wGallant@CCmaker.com) • Web Site: [www.CCmaker.com](http://www.CCmaker.com)**  
**1-800-527-0551**

You produce the video,  
we add the closed-captions ...

FCC Requires 100% captioning starting  
1/1/06.

We sell an entry level line-21 closed-captioning  
system.

See details below, system is called ADDrollupCC.

## **Not going to make the Jan 1st deadline for adding closed- captioning?**

We'll do it for you, half-hour program is \$200 (includes transcribing, tape, shipping)

We can do it for this low price because we are using **ADDrollupCC** and it doesn't take very  
long to do it.

Here's the math: It will cost us \$30 to get it typed, it will take two hours of production time to  
put the script and video together using **ADDrollupCC**, and \$15 for Fedex to get it back to  
you.

Account name	Current month	Prior month	Change from Prior month	Percent of Change
<b>Assets</b>				
Operating Fund Cash	13,076.45	6,287.04	6,789.41	108
Allocated Endowment Cash	1,908.10	1,908.10	0.00	0
Mem. & Spec. Gifts Cash	1,487.71	2,762.49	(1,274.78)	46
Pre-Paid Pledges Cash	437.55	0.00	437.55	-
Major Maintenance Cash	0.00	0.00	0.00	-
Sabbatical Fund Cash	0.00	0.00	0.00	-
Bldg. Fund Cash	0.00	0.00	0.00	-
Reserve Fund Cash	0.00	0.00	0.00	-
<b>Checking</b>	<b>\$16,909.81</b>	<b>\$10,957.63</b>	<b>\$5,952.18</b>	<b>54</b>
Operating Fund Savings	524.46	423.73	100.73	24
Allocated Endowment Savings	12,221.43	12,221.43	0.00	0
Bldgs. & Grnds. End. Loan	0.00	0.00	0.00	-
Mem. & Spec. Gifts Savings	12,101.60	12,065.38	36.22	0
Pre-Paid Pledge Savings	2,386.01	2,386.01	0.00	0
Major Maintenance Savings	0.00	0.00	0.00	-
Sabbatical Fund Savings	12,635.93	12,635.93	0.00	0
Bldg. Fund Savings	221.56	221.56	0.00	0
In/Out Savings	20,410.60	20,349.51	61.09	0
Reserve Fund Savings	5,668.94	5,668.94	0.00	0
<b>Savings</b>	<b>\$66,170.53</b>	<b>\$65,972.49</b>	<b>\$198.04</b>	<b>0</b>
Church Imp. & End. Princ.	70,373.35	70,373.35	0.00	0
Leadership Fund Princ.	5,227.36	5,227.36	0.00	0
Palm Fund Princ.	8,755.83	8,755.83	0.00	0
Frederick Fund Princ.	96,118.10	96,118.10	0.00	0
Fox Fund Princ.	272,410.86	272,410.86	0.00	0
Connolly Fund Princ.	68,478.43	68,478.43	0.00	0
McFadyen Fund Princ.	132,056.21	132,056.21	0.00	0
Bldg. Note	0.00	0.00	0.00	-
<b>Trust Funds Princ. - 9/30/05</b>	<b>\$653,420.14</b>	<b>\$653,420.14</b>	<b>\$0.00</b>	<b>0</b>
Petty Cash Fund	50.00	50.00	0.00	0
Land & Bldg.	2,570,104.90	2,570,104.90	0.00	0
<b>Total Assets</b>	<b>\$3,306,655.38</b>	<b>\$3,300,505.16</b>	<b>\$6,150.22</b>	<b>0</b>
<b>Liabilities and Fund Balances</b>				
Discretionary Repayment	0.00	0.00	0.00	-
FIT Withheld	0.00	0.00	0.00	-
IL Tax Withheld	521.86	262.71	259.15	99
<b>Payroll Tax Liability</b>	<b>\$521.86</b>	<b>\$262.71</b>	<b>\$259.15</b>	<b>99</b>
Payroll Clearing Account	0.00	0.00	0.00	-
HIV/AIDS & Harm Reduction	4,229.10	4,229.10	0.00	0
Jail Expansion Alternatives	150.00	150.00	0.00	0
Habitat for Humanity	0.00	0.00	0.00	-
Outreach Reserve	1,477.21	1,477.21	0.00	0
Action for Children	595.19	595.19	0.00	0
<b>Outreach Allocated</b>	<b>\$6,451.50</b>	<b>\$6,451.50</b>	<b>\$0.00</b>	<b>0</b>
Bldgs. & Grnds. Allocated	7,040.01	7,040.01	0.00	0
Religious Educ Allocated	0.00	0.00	0.00	-
Fusion	0.00	0.00	0.00	-
Leadership Fund	315.00	315.00	0.00	0
Intern Ministry	323.02	323.02	0.00	0
Other Allocations	0.00	0.00	0.00	-
<b>Total Trust Funds Allocated</b>	<b>\$14,129.53</b>	<b>\$14,129.53</b>	<b>\$0.00</b>	<b>0</b>

Account name	Current month	Prior month	Change from Prior month	Percent of Change
Mem & Spec. Gifts Interest	4,065.99	4,029.77	36.22	1
Mem. & Spec. Gifts Misc.	544.73	544.73	0.00	0
Eliseo Fund	(9.12)	1,465.88	(1,475.00)	101
Bell Fund	1,494.00	1,112.53	381.47	34
Foster Fund	937.54	937.54	0.00	0
Eklund Fund	1,052.75	1,052.75	0.00	0
Hurdle Fund	433.75	480.00	(46.25)	10
Palm Fund	425.00	455.00	(30.00)	7
Lindstrom	1,590.00	1,590.00	0.00	0
Paulkitis	0.00	0.00	0.00	-
Paulson Fund	1,630.00	1,630.00	0.00	0
Schulein Fund	437.80	437.80	0.00	0
Shuey Fund	794.50	794.50	0.00	0
Connolly Fund	192.37	192.37	0.00	0
Erikson Fund	0.00	0.00	0.00	-
<b>Memorial &amp; Special Gifts</b>	<b>\$13,589.31</b>	<b>\$14,722.87</b>	<b>(\$1,133.56)</b>	<b>8</b>
<b>Prepaid Pledges</b>	<b>\$2,823.56</b>	<b>\$2,386.01</b>	<b>\$437.55</b>	<b>18</b>
<b>Capital &amp; Maintenance Reserve</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>-</b>
<b>Bldg. Fund</b>	<b>\$221.56</b>	<b>\$221.56</b>	<b>\$0.00</b>	<b>0</b>
<b>In/Out Money Mkt.</b>	<b>\$20,410.60</b>	<b>\$20,349.51</b>	<b>\$61.09</b>	<b>0</b>
Weissbard Sabbatical Fund	9,276.66	9,276.66	0.00	0
McDonald Sabbatical Fund	3,359.27	3,359.27	0.00	0
<b>Sabbatical Reserve</b>	<b>\$12,635.93</b>	<b>\$12,635.93</b>	<b>\$0.00</b>	<b>0</b>
Church Imp. & End. Princ.	70,373.35	70,373.35	0.00	0
Leadership Fund Princ.	5,227.36	5,227.36	0.00	0
Palm Fund Princ.	8,755.83	8,755.83	0.00	0
Frederick Fund Princ.	96,118.10	96,118.10	0.00	0
Fox Fund Princ.	272,410.86	272,410.86	0.00	0
Connolly Fund Princ.	68,478.43	68,478.43	0.00	0
McFadyen Fund Princ.	132,056.21	132,056.21	0.00	0
<b>Trust Fund Princ. - 9/30/05</b>	<b>\$653,420.14</b>	<b>\$653,420.14</b>	<b>\$0.00</b>	<b>0</b>
Petty Cash	50.00	50.00	0.00	0
Land & Bldg.	2,272,764.67	2,272,039.91	724.76	0
Bldg. Expansion Note	297,340.23	298,064.99	(724.76)	0
<b>Land &amp; Bldg. Total</b>	<b>\$2,570,104.90</b>	<b>\$2,570,104.90</b>	<b>\$0.00</b>	<b>0</b>
<b>Total Liabilities</b>	<b><u>\$3,287,907.39</u></b>	<b><u>\$3,288,283.16</u></b>	<b><u>(\$375.77)</u></b>	<b>0</b>
Operating Fund Balance	13,079.05	6,553.06	6,525.99	100
Acc. Reserve/Deficit Fund Bal	5,668.94	5,668.94	0.00	0
<b>Total Fund balance</b>	<b><u>\$18,747.99</u></b>	<b><u>\$12,222.00</u></b>	<b><u>\$6,525.99</u></b>	<b>53</b>
<b>Total Liabilities and Fund Balances</b>	<b><u>\$3,306,655.38</u></b>	<b><u>\$3,300,505.16</u></b>	<b><u>\$6,150.22</u></b>	<b>0</b>