

DIOCESE OF LINCOLN  
CHANCERY OFFICE  
P.O. Box 80328  
LINCOLN, NEBRASKA 68501-0328  
402-488-0921 FAX 402-488-3569

CGB-CC-0083

RECEIVED & INSPECTED

DEC 27 2005

FCC - MAILROOM

Commission's Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street S.W.  
Washington, D.C. 20554  
attn: CGB Room 3-B431

December 21, 2005

Dear Secretary,

This letter is a request for an exemption from the Commission's Closed Captioning Rules, section 79.1 of the FCC's rules 47 C.F.R. & 79.1.

The request for exemption is for a 30-minute weekly broadcast of the Catholic Mass. The Mass is produced and edited by a private company. It is aired on Sundays on KLJN, an ABC affiliate in Lincoln, Nebraska. Private donors, sponsors and the Diocese of Lincoln support the Mass. As indicated on the attached balance sheet, the total cost of air time alone for the last fiscal year was \$37,602.67. This does not include production time, which will amount to at least an additional \$20,000. The amount of revenue from donors and sponsors was \$18,765.52. The Diocese of Lincoln paid for the remaining cost.

I believe this Mass would qualify for exemption for the following reasons.

1. The annual cost of closed captioning would be more than \$4,000, more than 20 % of the program's annual revenue.
2. If the Mass were required to be captioned, most likely we would be forced to discontinue it after eight years on the air. The Mass is a one-time broadcast, which has no use beyond its scheduled airing. We receive much feedback from aged, infirmed, homebound and other disabled individuals who appreciate the opportunity to watch the Mass. The extra cost would not allow access to the Mass for most of these people. We estimate that at least 50,000 people watch the Mass weekly.

Thank you for your time and consideration of this request. If you have any questions, please call me at: (402) 488-0090.

With Every Good Wish,



Father Kenneth Borowiak

11:45 AM  
12/21/05  
Accrual Basis

**Mass on television**  
**Profit & Loss**  
July 2004 through June 2005

	Jul '04 - ...
Ordinary Income/Expense	
Income	
Contributed support	
TV Mass	18,765.52
Total Contributed support	18,765.52
Total Income	18,765.52
Expense	
Apostolates and programs	
Mass on television	37,602.67
Total Apostolates and programs	37,602.67
Total Expense	37,602.67
Net Ordinary Income	-18,837.15
Net Income	<u>-18,837.15</u>

*deficit*

11:46 AM

12/21/05

Accrual Basis

**Mass on television**  
**Transaction Detail By Account**  
 July 2004 through June 2005

Type	Date	Num	Name	Memo	Amount
<b>Contributed support</b>					
<b>TV Mass</b>					
Deposit	7/21/2004	9005	Donald/Dolores Swanson		200.00
Deposit	7/21/2004	4229	Exeter St Stephen Church		200.00
Deposit	8/24/2004	4591	Friend St Joseph Church		430.00
Deposit	8/24/2004	2891	Milligan St Wenceslaus Church		220.00
Deposit	8/24/2004	2224	Wymore St Mary Church		650.00
Deposit	8/24/2004	1092	Barneston St Joseph Church		400.00
Deposit	8/24/2004	1097	Odell St Mary Church		650.00
Deposit	8/31/2004	1675	KOC #11280		750.00
Deposit	9/2/2004	911	Gertrude Wenzl		100.00
Deposit	9/6/2004	2085	Joseph Swatek		50.00
Deposit	9/23/2004	1041	Auburn KOC		100.00
Deposit	9/23/2004	3360	Cheney St Michael KOC 1013		550.00
Deposit	9/23/2004	2297	Frank Yeck		50.00
Deposit	9/23/2004	1696	Palmyra St Leo Altar Society		100.00
Deposit	9/27/2004	2041	Valparaiso, KOC #8625		150.00
Deposit	9/27/2004	1387	KOC #11737		650.00
Deposit	9/29/2004	1985	Osceola St Vincent Altar Society		200.00
Deposit	9/29/2004	5625	Steinauer St Ann Altar Society		100.00
Deposit	9/29/2004	1133	Burchard Rosary Altar Society		325.00
Deposit	9/30/2004	1422	Crete KOC Victor Vifquain Council		150.00
Deposit	9/30/2004	1050	Lincoln North American Altar Society		100.00
Deposit	9/30/2004	1852	Lincoln St Peter KOC #10510		650.00
Deposit	9/30/2004	1545	Weston St John PCCW		50.00
Deposit	10/14/2004	2296	Denton St Mary Altar Society		25.00
Deposit	10/14/2004	1014	Lincoln St Mary KOC #9704		50.00
Deposit	10/14/2004	1246	Lincoln St Teresa Altar Society		200.00
Deposit	10/14/2004	1666	St Mary Holy Rosary Altar Society		100.00
Deposit	10/14/2004	799	Superior St Joseph Altar Society		250.00
Deposit	10/14/2004	4171	York St Joseph Altar Society		650.00
Deposit	10/20/2004	8681	Christopher/Lori Weskamp		50.00
Deposit	10/20/2004	1427	Brainard Holy Trinity KOC #8889		500.00
Deposit	10/20/2004	1855	Brainard Holy Trinity PCCW		75.00
Deposit	10/20/2004	1884	McCook St Patrick Altar Society		100.00
Deposit	10/20/2004	1688	Geneva St Joseph Altar Society		200.00
Deposit	10/20/2004	2024	Plattsmouth KOC #1966		50.00
Deposit	10/20/2004	6048	NE City St Mary Conf of Christian Mothers		50.00
Deposit	10/20/2004	326	Exeter St Stephen KOC #11822		100.00
Deposit	10/22/2004	1859	NE City Holy Trinity Catholic Guild		25.00
Deposit	10/22/2004	2142	Bruno St Anthony PCCW		50.00
Deposit	10/22/2004	2031	Beaver Crossing Sacred Heart Altar Soci...		100.00
Deposit	11/5/2004	7226	Beaver Crossing Sacred Heart Church		100.00
Deposit	11/5/2004	6806	Utica St Patrick Church		100.00
Deposit	11/5/2004	10474	Geneva St Joseph Church		100.00
Deposit	11/5/2004	3926	Shickley St Mary Church		20.00
Deposit	11/5/2004	1066	Ulysses Immaculate Conception Altar So...		650.00
Deposit	11/23/2004	2639	Aurora St Mary Altar Society		250.00
Deposit	11/23/2004	1133	Hebron St Ann Altar Society		50.00
Deposit	11/23/2004	642	Lincoln Blessed Sacrament Altar Society		100.00
Deposit	11/23/2004	2458	Walter/Beverly Bopp		500.00
Deposit	11/23/2004	1687	KOC #1833 (Wahoo)		500.00
Deposit	12/3/2004	3058	Crete Sacred Heart Altar Society		150.00
Deposit	12/3/2004	326	David City St Francis Altar Society		200.00
Deposit	12/3/2004	2960	Exeter St Stephen Altar Society		50.00
Deposit	12/3/2004	1151	Milligan St Wenceslaus Altar Society		100.00
Deposit	12/10/2004		cash		10.00
Deposit	12/10/2004	1657	Victoria Arrigo		200.00
Deposit	12/10/2004	1846	Seward KOC #8469		250.00
Deposit	12/10/2004	2055	Valparaiso KOC #8625		641.52
Deposit	12/21/2004	718	Lincoln KOC #9564		650.00
Deposit	12/21/2004	1053	Cortland St James Altar Society		50.00
Deposit	12/21/2004	1504	Lincoln St Patrick Altar Society		400.00
Deposit	12/21/2004	3190	Bee St Wenceslaus Altar Society		325.00
Deposit	12/29/2004	1762	Adeline Geis (anonymous)		100.00
Deposit	1/17/2005	600	Alma St Joseph Altar Society		20.00
Deposit	1/17/2005	1105	Ashland St Mary Altar Society		50.00
Deposit	1/17/2005	661	Douglas St Martin Altar Society		50.00

11:46 AM

12/21/05

Accrual Basis

**Mass on television**  
**Transaction Detail By Account**  
 July 2004 through June 2005

Type	Date	Num	Name	Memo	Amount
Deposit	1/17/2005	914		David City St Mary PCCW	50.00
Deposit	1/17/2005	2639		Tecumseh St Andrew Altar Society	100.00
Deposit	1/17/2005	1015		Lincoln St Patrick KOC	600.00
Deposit	1/17/2005			Leona Schreiner	20.00
Deposit	1/21/2005	1475		CDA #1956	142.00
Deposit	1/28/2005	707		Everett/Dorothy Hier	20.00
Deposit	3/21/2005	224		Edwin/Angeline Bender	100.00
Deposit	4/8/2005	8755		Donald/Lorraine Clouston	50.00
Deposit	4/8/2005			Leona Schreiner	20.00
Deposit	4/26/2005	1844		Mead St James PCCW	25.00
Deposit	4/26/2005	8995		Syracuse St Paulinus Church	200.00
Deposit	4/26/2005	2341		Syracuse St Paulinus Altar Society	100.00
Deposit	4/26/2005	1515		Syracuse KOC #7614	50.00
Deposit	4/26/2005	2900		Avoca Holy Trinity Church	50.00
Deposit	5/2/2005	5795		Bellwood St Peter Church	100.00
Deposit	5/9/2005	2104		Lincoln Sacred Heart Altar Society	50.00
Deposit	5/20/2005	3747		Valparaiso Sts Mary & Joseph PCCW	100.00
Deposit	5/20/2005	1595		Davey St Mary Altar Society	182.00
Deposit	5/27/2005	589		Cedar Hill Sacred Heart Altar Society	100.00
Deposit	5/27/2005	8584		Beatrice St Joseph Church	670.00
Deposit	6/8/2005	5075		Leona Schreiner	20.00
Deposit	6/8/2005	17176		Rita Vyhldal	1,000.00
Total TV Mass					18,765.52
Total Contributed support					18,765.52
<b>Apostolates and programs</b>					
<b>Mass on television</b>					
Check	7/8/2004	32282	KLKNTV	June 2004	-760.00
Check	7/8/2004	32282	KLKNTV	June 2004	-760.00
Check	7/8/2004	32282	KLKNTV	June 2004	-760.00
Check	7/8/2004	32282	KLKNTV	June 2004	-760.00
Check	7/23/2004	32496	KLKNTV	07.04 07.11 07.18 @760	-2,280.00
Check	7/29/2004	32555	Snitily Carr	Masses shot on June 24, 2004	-750.00
Check	9/2/2004	33043	Snitily Carr	Masses shot on July 29, 2004	-750.00
Check	9/10/2004	33119	KLKNTV	July 25	-760.00
Check	9/10/2004	33119	KLKNTV	August 1,8,15,22,29 *\$760	-3,800.00
Check	10/7/2004	33503	KLKNTV	09.05.04	-650.00
Check	10/7/2004	33503	KLKNTV	09.12.04	-650.00
Check	10/7/2004	33503	KLKNTV	09.19.04	-650.00
Check	10/7/2004	33503	KLKNTV	09.26.04	-650.00
Check	11/8/2004	33844	KLKNTV	Oct (5*650)	-3,250.00
Check	11/8/2004	33845	Snitily Carr	Sept Masses	-750.00
Check	11/17/2004	34057	Rev David Davis	supplies for Homebound production	-122.67
Check	12/6/2004	34251	KLKNTV		-3,250.00
Check	1/11/2005	34525	KLKNTV	Through December	-2,600.00
Check	2/9/2005	34978	KLKNTV	Through January	-3,250.00
Check	3/5/2005	35211	KLKNTV	Through February	-2,600.00
Check	3/5/2005	35211	KLKNTV	Through February	650.00
Check	4/16/2005	35731	KLKNTV	Through March	-2,600.00
Check	5/10/2005	35992	KLKNTV	April 2005 (4*\$650)	-2,600.00
Check	6/4/2005	36337	KLKNTV	Through May 05	-3,250.00
Total Mass on television					-37,602.67
Total Apostolates and programs					-37,602.67
<b>TOTAL</b>					<b>-18,837.15</b>



*Southern Nebraska*  
**REGISTER**

April 7, 2006

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

Case Number  
CGB-CC-0083

Dear Amelia,

Enclosed is the requested affidavit needed to complete my petition to be exempt from the Commission's Closed Captioning Rules. I am also enclosing the costs per week to broadcast the Catholic Mass here in Southern Nebraska.

Cost to air the 30 minute Catholic Mass each week:

- Air time charged by KLKN....\$ 650.00
  - Production costs.....\$ 700.00
  - Closed captioning.....\$ 130.00
- For 2006 it will cost a total of.....\$76,960.00

If you have any questions please call me at (402) 488-0090.

With Every Good Wish,

Father Kenneth Borowiak

STATE OF NEBRASKA  
 GENERAL  
 NOTARY  
 PUBLIC  
 TIMOTHY J. THORBURN  
 MY COMMISSION EXPIRES  
 March 7, 2008

*Spreading the Good News of Christ and His Church since 1932 - Diocese of Lincoln, Nebraska*

P.O. Box 80329    Lincoln, NE 68501    Ph: 402-488-0090    Fx: 402-488-3569    snregister@inebraska.com

**Southern  
Nebraska  
Register**

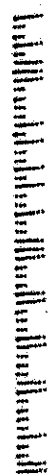
P.O. Box 80329 Lincoln, NE 68501

RECEIVED & INSPECTED  
APR 12 2006  
FCC - MAIL ROOM

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

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*Southern Nebraska*

# REGISTER

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April 21, 2006

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

Case Number  
CGB-CC-0083

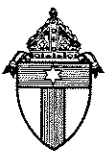
Dear Amelia,

Attached is the requested affidavit needed to complete my petition to be exempt from the Commission's Closed Captioning Rules.

If you have any questions please call me at (402) 488-0090.

With Every Good Wish,

Father Kenneth Borowiak



## Affidavit of Costs

I, Reverend Kenneth A. Borowiak, Diocesan Director of Communications for the Diocese of Lincoln, by my signature affixed to this document, do hereby make the following statement of fact and affirm:

1. Private donors, sponsors and the Diocese of Lincoln support the broadcast of the "Catholic Mass" shown weekly.
2. The cost of producing the "Catholic Mass" including airing and production cost is \$1,350.00 per week.
3. Closed Captioning cost is an additional \$130.00 per week.

I now affix my signature to these affirmations:

*Rev. Kenneth A. Borowiak*

Rev. Kenneth A. Borowiak  
Diocesan Director of Communications

The foregoing was subscribed and sworn to me, a Notary Public, of the State of Nebraska, County of Lancaster this 21<sup>st</sup> day of APRIL, 2006.

*Timothy J. Thorburn*  
Notary Public

