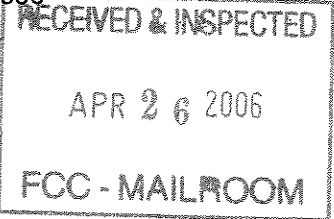


Broadway Baptist Church

710 East Third

Sweetwater, Texas 79556

Email: office@bbesweetwater.com



April 21, 2006

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

Reference: CCB-CC-0182

Affidavit for Petition for Exempt Status for Closed Captioning

BE IT ACKNOWLEDGED, that Broadway Baptist Church of 710 East Third St., Sweetwater, Texas, County of Nolan, the undersigned deponent, being of legal age, does hereby depose and say under oath as follows:

I affirm that the foregoing is true except as to statements made upon information and belief, and as to those I believe them to be true.

Witness my hand under the penalties of perjury this 21st day of April, 2006.

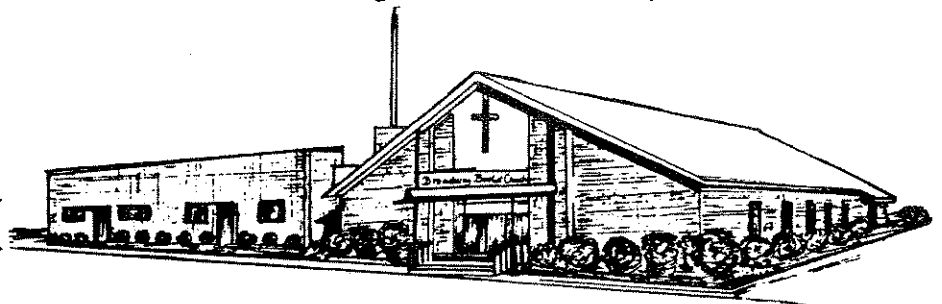
Dear Ms. Amelia Brown:

Thank you for your consideration and clarification in this matter regarding closed captioning. We would, therefore, ask to be exempt because this would be an undue hardship to comply with the closed captioning of video programming.

I have checked into the cost of having our service captioned and have discovered the extreme cost would range from \$8,000. for the software to do the caption ourselves (This is according to the bid we received from *Computer Prompting & Captioning Co., 1010 Rockville Pike, Suite 306, Rockville, MD 20852*). Or a cost of around \$260. per week (\$13,520 per year) to have someone else caption it for us for a year (This is according to the bid we received from *Video Caption Corporation, 26 Highland Way, Stanfordville, New York 12581*). The impact upon our operation is based on our congregation that has about 200 regular attendees in it (of which a large percentage are elderly) and we do not have anyone who can volunteer to do the extra work needed to transcribe the broadcast. Right now the only one who is able to edit our service for broadcast is the music director who already is spending over 50 hours a week with this and his regular duties and we do not have any reasonable alternatives.

As far as our finances are concerned, last year we spent \$7,395. for the broadcast and since October have spent \$15,529.56 upgrading our equipment. Our overall church budget expenses for last year was \$318,087.51 and our budget income was \$305,145.76. Right now we have more expenses than income and may even have to reduce our outreach in this area, although we desire not to, if this trend continues.


initials



Because of the cost, the impact on our operations and our financial resources, we respectfully request an exempt status.

Sincerely,

Pastor David Chittenden

Certified Mail: #7004 2890 0000 1929 5194

Sheila Crain

Signature of Witness

David Chittenden

Signature of Deponent

Sheila Crain

Name of Witness

David Chittenden

Name of Deponent

129 Sabine Dr

Street Address of Witness

107 Ridgecrest Circle

Street Address of Deponent

Sweetwater, Tx 79556

City/State/Zip

Sweetwater, TX 79556

City/State/Zip

State of: Texas
County of: Nolan

On April 21st, 2006 before me, Vickie May, personally appeared David Chittenden, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Vickie May
Signature

Affiant Known Unknown

ID Produced TX D.L.

(Seal)



CGB-CC-0182

Broadway Baptist Church

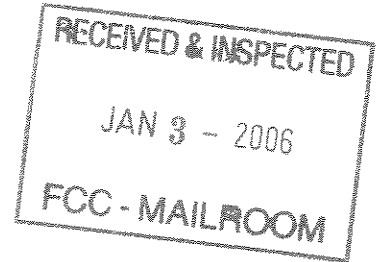
710 East Third

Sweetwater, Texas 79556

Pastor David Chittenden
(325) 235-2730

Email: office@bbcsweetwater.com

December 22, 2005



Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Petition for Exempt Status for Closed Captioning

Dear Sirs:

Currently we are recording the services of Broadway Baptist Church for a 30 minute broadcast on KTXS Channel 12 in Abilene, Texas.

Pursuant to Part 79.1 Closed captioning of video programming, we petition for an exempt status for Broadway Baptist Church. Our program is locally a produced and distributed non-news program with no repeat value. In that we are a non-profit organization that does not receive contributions nor solicit funds, captioning expense would be a hardship.

Broadway Baptist Church retains no revenues from the broadcast. Paragraph (d) 11-12 state that "No video programming provider shall be required to expend any money to caption any video programming if such expenditure would exceed 2% of the gross revenues received from that channel during the previous calendar year." Also, "channels producing revenues of under \$3,000,000. No video programming provider shall be required to expend any money to caption any channel of video programming producing annual gross revenues of less than \$300,000 during the previous calendar year other than the obligation to pass through video programming already captioned when received pursuant to paragraph (c) of this section."

Being that we are a very small organization with limited funds, having the personnel necessary to run the closed captioning or paying for a service to do that would be an obvious hardship. In addition, our services would have to broadcast almost two weeks late due to the delay for processing the closed captioning. Broadway Baptist Church does not have a full time employee specifically working on the TV broadcast. Volunteers are used during the services and the Worship Leader edits and records the program to a DVD for the station to use.

Therefore, this would be an undue hardship to comply with the closed captioning of video programming.

We respectfully request an exempt status.

Sincerely,

A handwritten signature in cursive script that reads "David Chittenden".

Pastor David Chittenden

Certified Mail: #7004 2890 0000 1929 5187

