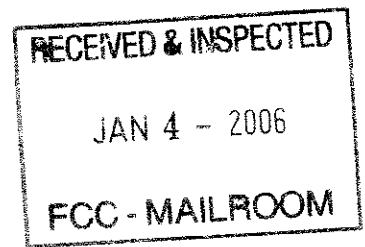


CGB-CC-0203



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

First Baptist Church of Fort Smith was established in 1857 to provide a place for worship and Bible study to the people of western Arkansas and eastern Oklahoma.

The church's television ministry started in 1953 to take the worship service into the homes of those who could not or might not attend the church.

This live service, HOPE FROM ABOVE, has been an outreach media ministry of reaching people each Sunday from 11a.m. to 12 noon on KFSM TV5 during these past 52 years. The media ministries of First Baptist Church are directed by Carl Riggins, and a group of some 12 to 15 volunteers are involved in each week's television production.

For the reasons set forth below, First Baptist of Fort Smith, Arkansas hereby request an undue burden exemption from the closed captioning rules for HOPE FROM ABOVE, pursuant to 79.1(f) of the Commission's rules.

Nature and Cost of Closed Captions

Because the televised service is live, the program would need to be tape delayed to add the closed captioning to the program. Closed Caption Maker, Inc can caption our program @\$400.00 per week or through CPC Company the software to get started starts at \$7,995.00.

Impact on the Operation of the Program Provider

To out source the program to have the closed caption added would add an additional \$400.00 to our present cost of \$600.00 per week for air time on KFSM TV. This would increase

our weekly cost by approximately 66%. If the software was purchased, we would need to staff a person to generate the captioning which would add to our weekly cost. The additional cost will divert funds from several other ministries, such as benevolence and local mission work.

Financial Resources of the Program

First Baptist is a tax-exempt non-profit corporation and the source of all income comes from donations of its members. Since HOPE FROM ABOVE television program does not solicit funds over the air, all production costs are funded through the budget of the church, and KFSM TV does not have the equipment that is needed to close caption our program.

Since our service is broadcast live each week only on full power station KFSM-TV, the petitioner believes that the local, non-news exemption to the closed captioning rules also applies to HOPE FROM ABOVE. As noted above, the program is produced and distributed locally, and the sermons of First Baptist Church are of primarily local public interest. The programs 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.

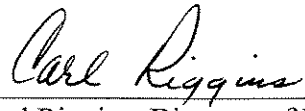
Conclusion

As shown by this Petition, 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 operations. 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,

First Baptist Church of Fort Smith, Arkansas

By:

A handwritten signature in cursive script that reads "Carl Riggins". The signature is written in black ink and is positioned above a horizontal line.

Carl Riggins, Director of Media Ministries

P. O. Box 609

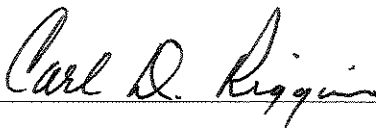
Fort Smith, Arkansas 72902

479 788-6105

Fax 479 782-8044

AFFIDAVIT

I the undersigned being first duly sworn verify under oath that I am the Director of Media Ministries at First Baptist Church of Fort Smith, Arkansas and prepared the material consisting of eight pages which is attached to this affidavit and swear that is true and correct to the best of my knowledge and belief..



Carl D. Riggins

Subscribed and sworn to before me the undersigned notary public on this fourth day of
May, 2006.



Martha Frank

My commission

expires November 1, 2006

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

Supplement Petition for Exemption from Closed Captioning Requirements

Reference CGB-CC-0203

The intent of First Baptist Church of Fort Smith is to keep HOPE FROM ABOVE which is the television broadcast of the Sunday morning service, a live program. The purpose is to provide this service to those people of western Arkansas and eastern Oklahoma who cannot attend a service. The church has already been planning to purchase a character generator to generate the words of the songs on the screen. We have had request of several of our viewers over the past few years for this service. This can easily be done on our live service with the proposed piece of equipment because we do know ahead of time the songs to be used in each service. . (See attachment #1)

Since our pastor does not use notes in his sermons each week, to closed caption his sermon and to do it accurately is nearly impossible. We have researched all areas of possibilities in doing this on our live service. One would be a voice recognition system for his sermons. (See attachment #2) This is said to be only about 90% accurate. The cost of this equipment will be \$4,616.00 plus training.

The second option would be to out source the program to a firm such as Aberdeen Captioning. (See attachment # 3). The cost per year would be \$6,500.00 plus the cost of two toll-free phone lines installed to connect the service. This is not 100% accurate.

The only other option would be to tape delay the program one week and add the captioning as previously stated in our earlier petition at a cost of \$7,995.00 for equipment from CPC. (See attachment #4)

Also attached is a copy of the income and expense summary of the First Baptist Church of Fort Smith as requested in your previous correspondence. . (See attachment #5)

Conclusion

As shown by this supplement Petition and its attachments, we ask that the Commission consider granting a waiver of the closed captioning requirements in this case, because requiring closed captioning would create an undue burden, not only on the grounds of the additional expense, but because of the service being broadcast live, there is significant difficulty in captioning our Pastor's sermons each week and doing it with accuracy.

If more information is needed, please contact me at the address provided below.

Carl Riggins
Director of Media Ministries
First Baptist Church of Fort Smith
P. O. Box 609
Fort Smith AR 72902
479 788-6105
criggins@fsfbc.org

PRICE QUOTE

ELECTRONIC VIDEO SYSTEMS

Mark deLinde

102 West Ashley
Benton, AR 72015

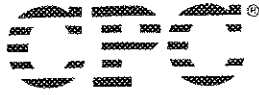
—
Telephone (501) 315-7499
Fax (501) 315-9007

Bob Dyer - First Baptist Church
Character Generator
January 9, 2006

Proposal #84596

<i>Item</i>	<i>Qty</i>	<i>Description</i>	<i>Unit Cost</i>	<i>Total</i>
01	01	Compix LCG5000R Stand Alone Video Character Generator (19" rack mount case) Composite, Y/C, Alpha Key, Port for Optional SDI Output Card. includes: VideoCG™ GenCG, GenPlay animation bridge software, Scheduler Suite, Remote Create/Edit Suite, NewsScroll, Background Images CD, True Type Fonts CD, Photo Objects CD & Textures CD, 12 month limited warranty. List: \$4,795.00	\$4,395.00	\$4,395.00
02	01	VGA Monitor Required		\$ 500.00
<u>OPTIONAL</u>				
03	01	Compix Media CYNERG Plus (19" Rackmount Case) (Two sets of Composite video or Y/C video inputs and outputs with two Alpha keys and two ports for optional SDI output cards) Two Full VideoCG™ Character Generators on a complete stand-alone system including GenCG software with Direct Animation Import Feature, NewsScroll software, Scheduler Suite, Remote Create/Edit Software (RCES), Digital Juice Jumpbacks Volume 21, Ulead Cool3D Production Studio software, Animation Template Collection, Adobe Photoshop Elements, Hemera Big Box of Art 1 Million, 4000 True Type Fonts CD, 100 Background CD, 100 Texture CD, and 12 Month Limited Warranty List: \$ 8995.00	\$ 8395.00	\$ 8395.00
02	02	VGA Monitor Required	\$ 500.00	\$ 1000.00

****Pricing does not include shipping or applicable State & Local Sales Tax.



Computer Prompting & Captioning Co.

1010 Rockville Pike, Suite 306
 Rockville, Maryland 20852-1419, USA
 301-738-8487 • FAX 8488 • TTY 8489
info@cpweb.com • www.cpcweb.com

PROPOSAL FOR A CPC-600 CAPTIONING SYSTEM

DATE: 3/7/06

To:
 Carl Riggins
 First Baptist Church
 PO Box 609
 Fort Smith, AR 72902

479-788-6105
 Fax: 479-782-8044
criggins@fsfbc.org

Qty	Items & Descriptions	Unit Price	Extended Price
1	CPC-600 CaptionMaker® software including: One CD containing CPC software One Practice CPC-600 Video for training One CPC Protection Box One CPC-600 Manual One Caption-Key Manual	2,995.00	2,995.00
1	10% NRB discount for purchases made by 3/21/06	-299.00	-299.00
1	IBM ViaVoice® Speech Recognition software	250.00	250.00
1	Link PCE-845/D Analog Component/Composite Closed Caption Encoder, Open Caption Character Generator, Decoder with 9 pin male to female serial cable	1,200.00	1,200.00
1	Dazzle DVC-80 USB video display device (all Windows except NT)	75.00	75.00
1	Mask Microphone for use by shadow speaker with USB connector	265.00	265.00
1	Headset Microphone with USB connector optimized for speech recognition software for use by instructor	95.00	95.00
1	Tax (MD 5%) (for Maryland customers only)	0	0
1	Shipping and handling (UPS Ground)	35.00	35.00
TOTAL			\$4,616.00

Note: Both microphones are not absolutely needed. But they will give you flexibility when using shadow speakers to repeat what the talent is saying.

Prepared by Sidney Hoffman
 M.A. Computer Systems, M.S. Audiology

Software Support Plan

Five free hours of software phone support provided for 12 months following the date software license began. Below support plan(s) begin when that free support ends.

Support Plan for the CPC-600

1 year total of 5 hours 10% of \$2,995 = \$295 (\$250 if purchased at time of software purchase)

2 years total of 10 hours 18% of \$2,995 = \$539 (\$458 if purchased at time of software purchase)

3 years total of 15 hours 24% of \$2,995 = \$718 (\$610 if purchased at time of software purchase)

4 years total of 20 hours 28% of \$2,995 = \$838 (\$712 if purchased at time of software purchase)

Lifetime Unlimited 30% of \$2,995 = \$898 (\$763 if purchased at time of software purchase)



22362 Gilberto, Suite 230
Rancho Santa Margarita, CA 92688
ph. (800) 688-6621 fax (949) 858-4405
www.abercap.com

March 21, 2006

Dear Carl,

The following is the pricing to caption your 60-minute weekly program.

Live Captioning

60-minute program	*\$125 per program
<i>98% accuracy or better for dialogue under 200 wpm</i>	

First Baptist Church Fort Smith will need to provide two toll-free phone lines, one for connecting to an audio feed and the second for connecting to the encoder's modem. A list of all speakers, subject matter, program rundown, and any technical words that may be used within the program needs to be provided to Aberdeen Captioning prior to the program's live recording. This is necessary to provide a more accurate captioning service. If this is not provided, some unique words may be jumbled on the screen.

Please call me with any questions you may have. We look forward to providing you with excellent captioning to reach the hearing-impaired and others for Jesus Christ.

Best regards,

Becky Isaacs



Computer Prompting & Captioning Co.

GSA #GS-35F-4672G

Windows Captioning Solutions

A Certified 8(a) Company

CaptionMaker[®] & CCaption[™] Software

CPC-700NLE & CCaption: The ideal choice for NLEs

Encode Without Hardware (CPC-700NLE & CCaption)

- No generation loss when encoding captions
- No need for any hardware caption encoder or subtitle character generator
- Software so unique that it's patented (#6,895,166)

The CPC-700NLE and CCaption-NLE are our most popular captioning solutions for users with non-linear editing systems. The CPC-700NLE lets you position, time-stamp and encode captions. CCaption-NLE does not have script preparation capabilities, and encodes already prepared caption files.

Post-Production Captioning

- Captions all analog and digital videotape formats including HD
- Captions DVD and Video-on-Demand Webcasts (CPC-700, 700NL and 700NLE)
- Frame precise synchronization between dialogue and captions using time code (CPC-700, 700NL and 700NLE)
- Caption encoding is fully automated using time code (CPC-700, 700NL and 700NLE)
- Synchronization is done on the fly or using the computer timer (CPC-600)
- Imports files from multiple formats including: ASCII, Word, WordPerfect, Cheetah, Captions Inc., Caption Center, Softni
- Machine control may be used to control VTRs
- Encode captions without losing a generation with CCaption

The CPC-700NLE works with almost any digital video file. After importing the script, you can format and time-stamp the captions.

Next the CPC-700NLE exports a black video file with closed captions. This file can then be used with your existing NLE system to insert the captions onto your video.

Realtime Captioning

The CaptionMaker software can caption live events using:

- Any steno software that writes to the keyboard buffer
- Speech recognition software
- Speed typing software

The CPC-700NLE can also be used to caption DV video directly on the hard drive without using an NLE.

Subtitling

The CaptionMaker software can be used to subtitle videos using a number of hardware character generators, or CPC's software character generator.

DVD Captioning & Subtitling

- Provides caption and subtitle files for most major DVD authoring systems (CPC-700, 700NL, and 700NLE)

Webcast Captioning

- Generates Webcast files for Windows Media Player, Realtime, and Quicktime (CPC-700, 700NL, and 700NLE)

Software Prices

CPC-700NLE: Script Preparation & Software Encoding	\$7,995
CPC-700NL: Script Preparation & Encoding	\$5,995
CPC-700: Script Preparation & Encoding	\$4,995
CPC-600: Script Preparation and Encoding w/o time code	\$2,995
CPC-500: Realtime only	\$1,995
CPC-710: Encoding only	\$995
CCaption-DV: Encoding only	\$995
CCaption-NLE: Encoding only	\$1,995

NEW Subtitle With No Generation Loss

The CPC-700NLE software can now position, time code, and generate subtitles without a hardware character generator. The result is better video quality without going down a generation, plus it saves you the expense of purchasing a hardware character generator. Subtitles can be done in any language using any TrueType font. Imagine, you can now subtitle digital video on your notebook computer!

System Requirements

Windows 95/98/NT/ME/2000/XP compatible computer

A closed caption hardware encoder or CCaption software encoder

FIRST BAPTIST CHURCH

SUMMARY OF INCOME - EXPENSE 2005

MONTH	INCOME	EXPENSE	+ / -
Jan	\$263,574	\$181,319	\$82,255
Feb	\$242,872	\$231,649	\$11,223
Mar	\$284,570	\$260,773	\$23,797
April	\$261,465	\$245,037	\$16,428
May	\$295,017	\$260,582	\$34,435
June	\$270,995	\$226,876	\$44,119
July	\$302,290	\$224,241	\$78,049
Aug	\$234,783	\$273,609	-\$38,826
Sept	\$287,855	\$258,446	\$29,409
Oct	\$302,614	\$238,524	\$64,090
Nov	\$248,400	\$260,583	-\$12,183
Dec	\$417,226	\$712,956	-\$295,730
TOTAL	\$3,411,661	\$3,374,595	\$37,066