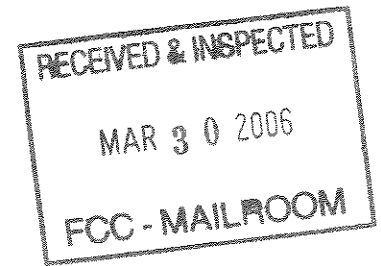


CGB-CC-0489



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

~~RE: Petition for Full Exemption from Closed Caption Requirements~~

To Whom it may concern,

WISCONSIN'S WATERS & WOODS LLC respectfully submits this petition requesting exemptions from the closed captioning requirements under the Commission's Rules, 47 C.F.R. 79.1 based on the undue burden standard and regulations.

INTRODUCTION AND OVERVIEW:

WISCONSIN'S WATERS & WOODS LLC was formed in 1991. The primary objective of the show is to provide a current news source of fishing opportunities in the Upper Midwest. I produce 52 shows a year and I am the only full time employee of the LLC.

The program is filmed on location in Wisconsin, Minnesota, Ohio, Illinois, and Canada on Monday, Tuesday, or Wednesday and must be edited on Thursday to be sent out to the stations for Saturday and Sunday airdates. This process is repeated 52 weeks a year to give viewers up to date and current information.

The program length is 28 minutes and 30 seconds. It is advertiser supported and mailed to the following stations every week:

COMCAST SPORTS NET CHICAGO, IL (9:00 AM SATURDAYS)
WTV, MILWAUKEE, WI (10:30 AM SUNDAYS)
FOX SPORTS NET NORTH, MINNEAPOLIS, MN (9:00 AM SATURDAYS)

We purchase the airtime from these stations and sell the advertising.

Due to financial constraints I am responsible for the entire production of each weekly episode. I host the show, edit the show and make the station dubs. I hire photographers as independent contractors.

NATURE AND COST OF THE CLOSED CAPTIONING FOR THE PROGRAMMING:

WVTV, Milwaukee was the station that informed us of our need to close caption, however, the station and I felt we fell under EXEMPTION NUMBER EIGHT (8) "NON NEWS PROGRAM WITH NO REPEAT VALUE." They are now informing us that we must petition the F.C.C. for exemption.

We have solicited vendors to perform close-captioning on our behalf. The best price we have been quoted is \$350 per episode from WVTV, Milwaukee. WVTV has told us they would require the program in-house 4 days in advance of airing due to formatting. The \$18,200.00 annual cost would create a financial hardship for a one-man company and it would change the concept of the show.

IMPACT OF THE OPERATION:

In addition to the direct financial burden, close captioning would jeopardize the uniqueness and success of the program.

1. SCHEDULING:

To our knowledge, "WISCONSIN'S WATERS & WOODS" is the only program in the country to air a new and current half hour outdoor program every week. As stated earlier I film the show Monday thru Wednesday, (Traveling throughout a 7 state area). On Thursday I edit the show, it must be at FEDEX by 7:00 pm on Thursday night.

The success and uniqueness of "WISCONSIN'S WATERS & WOODS" is dependent on providing new and current information to the fishermen in the upper Midwest who have come to rely on our show and trust it's timeiness.

To change our format and delay the airing of our program would adversely affect many of our sponsors who have specific time oriented mentions, features, and commercials. Our hard costs could be significantly higher due to loss of sponsors.

To retain our current format it would be impossible to employ close captioning.

FORMAT:

"WISCONSIN'S WATERS & WOODS" has myself as the host. In addition we have a guest fishing expert each week. We discuss and demonstrate fishing techniques and we display sponsor products. To do this we use logos, graphics and feature still pictures. To do this we require the entire screen. Without the use of the entire screen another source of revenue would be jeopardized.

Close Captioning would also negatively alter the aspect of the show for the hearing impaired, the Spanish speaking, and those people who watch the show without sound and want to see the graphics.

WORKLOAD:

As I mentioned earlier I am a one-man operation. My photographers work for me on a daily basis as independent contractors. Due to financial constraints they are not involved in the weekly production of the show. Each and every week it is difficult to meet deadlines, however the entire success of the show is it's timeliness. To get this accomplished I currently work 60 hours a week.

To cut costs I work out of my home and cannot afford to hire additional staff to ease my workload.

FINANCIAL RESOURCES OF PROGRAM PROVIDER:

My adjusted gross income from 2004 was \$122,942.

In 2006 I face higher business costs. My contracts with television stations call for increases. Independent contractor fees have to be increased. We need new TV equipment as we have to update to HIGH DEFINITION to meet future F.C.C. requirements (this will be a \$30,000 investment).

In addition the 35% increase in the cost of fuel has really hit us hard. We drive 40,000 miles a year to various shooting locations. Costs associated with maintaining my home office have also

Looking at these cost increases coming in 2006 and the \$18,200.00 plus travel expenses to WWTW MILWAUKEE, (I live in the country) for close captioning would reduce my net income by almost 50%.

There is also considerable concern about the loss of sponsors if we are forced to abandon our current format of airing a new show filmed on location each week.

ALTERNATIVES AVAILABLE AS SUBSTITUTES FOR CLOSE-CAPTIONING:

We will continue to employ graphics and written information on the screen which displays where and when we are fishing.

SUMMARY:

We request the Commission grant "WISCONSIN'S WATERS & WOODS LLC" a full exemption because requiring close captioning would create an undue burden for the following reasons.

1. Close captioning would eliminate our current format of airing new and timely information each and every week. This is what sets us apart from other shows and has made us successful.
2. Close captioning would reduce my income by 13%.
3. Close captioning could cause loss of sponsors who buy our show because it is current and they can display their products and messages. We require full screen capabilities for paid in-show promotions.

"WISCONSIN'S WATERS & WOODS" is a locally produced and distributed non-news program with no repeat value. It is of public interest, is non-news programming and the "electronic newsroom" technique of captioning is unavailable.

Thank you for your consideration. I look forward to your response.

Respectfully submitted,

WISCONSIN'S WATERS & WOODS LLC

By: 

John Gillespie
Sole Member

WISCONSIN'S WATERS & WOODS LLC
339 W. White Oak Way
Mequon, WI 53092

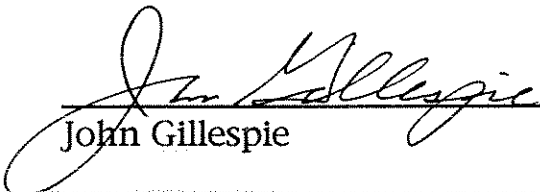
E Mail: jwgproductions@yahoo.com

AFFIDAVIT

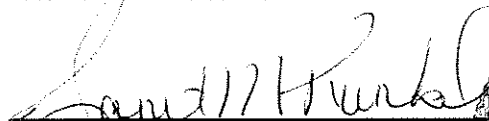
STATE OF WISCONSIN

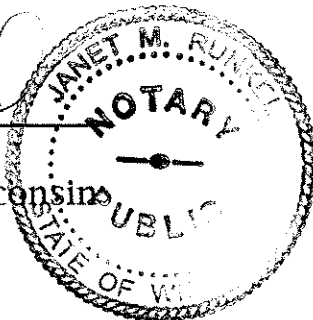
COUNTY OF OZAUKEE

Before me, the undersigned authority, on this the 14 day of March, 2006, personally appeared John Gillespie in his capacity as President and sole Member of WISCONSIN'S WATERS & WOODS LLC, the petitioner in the forgoing Petition for Close Captioning Exemption, and being by me duly sworn on oath deposes and avers that all statements and representations made in the Petition are true and accurate in substance and fact.


John Gillespie

SWORN TO and SUBSCRIBED BEFORE ME, by the said John Gillespie this the 14th day of March, 2006, to certify and witness my hand and seal of office.


Janet Runkel
Notary Public, State of Wisconsin



Label (See instructions.)

Use the IRS label. Otherwise, please print or type.

Presidential Election Campaign (See instructions.)

For the year Jan 1 - Dec 31, 2004, or other tax year beginning 2004, ending 20

Your first name MI Last name JOHN W GILLESPIE OMB No. 1545-0074
 Your social security number [REDACTED]
 If a joint return, spouse's first name MI Last name PATRICIA J GILLESPIE
 Spouse's social security number [REDACTED]
 Home address (number and street). If you have a P.O. box, see instructions. Apartment no. 339 WEST WHITE OAK WAY
 City, town or post office. If you have a foreign address, see instructions. State ZIP code MEQUON WI 53092

Important! You must enter your social security number(s) above.

Note: Checking 'Yes' will not change your tax or reduce your refund. Do you, or your spouse if filing a joint return, want \$3 to go to this fund? You [] Yes [X] No Spouse [] Yes [X] No

Check only one box.

- 2 [X] Married filing jointly (even if only one had income)
- 3 [] Married filing separately. Enter spouse's SSN above & full name here
- 5 [] Qualifying widow(er) with dependent child (see instructions)

Exemptions

6a [X] Yourself. If someone can claim you as a dependent, do not check box 6a

6b [X] Spouse

(1) First name	Last name	(2) Dependent's social security number	(3) Relationship to you	(4) Qualifying child for child tax credit (see instrs)	(5) Lived with you due to divorce or separation (see instrs)
BLAKE C	GILLESPIE	399-11-9931	Daughter	[X]	[]
TAYLOR M	GILLESPIE	399-06-4790	Son	[X]	[]

d Total number of exemptions claimed 4

Income

Attach Form(s) W-2 here. Also attach Forms W-2G and 1099-R if tax was withheld.

If you did not get a W-2, see instructions.

Enclose, but do not attach, any payment. Also, please use Form 1040-V.

7	Wages, salaries, tips, etc. Attach Form(s) W-2	7
8a	Taxable interest. Attach Schedule B if required	8a 561.
8b	Tax-exempt interest. Do not include on line 8a	8b
9a	Ordinary dividends. Attach Schedule B if required	9a 5,356.
9b	Qualified divs (see instrs)	9b 5,108.
10	Taxable refunds, credits, or offsets of state and local income taxes (see instructions)	10
11	Alimony received	11
12	Business income or (loss). Attach Schedule C or C-EZ	12 154,435.
13	Capital gain or (loss). Att Sch D if reqd. If not reqd, ck here	13 -3,000.
14	Other gains or (losses). Attach Form 4797	14
15a	IRA distributions	15a
15b	Taxable amount (see instrs)	15b
16a	Pensions and annuities	16a
16b	Taxable amount (see instrs)	16b
17	Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E	17
18	Farm income or (loss). Attach Schedule F	18
19	Unemployment compensation	19
20a	Social security benefits	20a
20b	Taxable amount (see instrs)	20b
21	Other income	21
22	Add the amounts in the far right column for lines 7 through 21. This is your total income	22 157,352.

Adjusted Gross Income

23	Educator expenses (see instructions)	23
24	Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ	24
25	IRA deduction (see instructions)	25
26	Student loan interest deduction (see instructions)	26
27	Tuition and fees deduction (see instructions)	27
28	Health savings account deduction. Attach Form 8889	28
29	Moving expenses. Attach Form 3903	29
30	One-half of self-employment tax. Attach Schedule SE	30 7,518.
31	Self-employed health insurance deduction (see instrs)	31 11,892.
32	Self-employed SEP, SIMPLE, and qualified plans	32 15,000.
33	Penalty on early withdrawal of savings	33
34a	Alimony paid	34a
34b	Recipient's SSN	34b
35	Add lines 23 through 34a	35 34,410.
36	Subtract line 35 from line 22. This is your adjusted gross income	36 122,942.