

**Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Closed Captioning of Video Programming)	CG Docket No. 05-231
)	
Telecommunications for the Deaf and Hard of Hearing, Inc.)	PRM11CG
Petition for Rulemaking)	

**COMMENTS ON NATIONAL ASSOCIATION OF BROADCASTERS AND
TELECOMMUNICATIONS FOR THE DEAF AND HARD OF HEARING, INC. ENT
REPORT FILINGS**

March 15, 2016

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National Court Reporters Association, as the national organization representing broadcast captioners, is filing this comment in response to the recent one-year report on the state of ENT filed by both the National Association of Broadcasters¹ and Telecommunications for the Deaf and Hard of Hearing, Inc. on behalf of a coalition of consumer groups². First, NCRA wants to compliment the Commission on all of the efforts that they have taken towards ensuring high quality captions over the past several years. The recent captioning quality regulations, as implemented, have, according to captioners working in the field, led to significant improvements on issues like adequate preparation material prior to the beginning of the live captioning of a program and the quality of the audio that the captioner receives directly from the station. And as with NCRA's usual filings, these comments relate solely to the captioning of live programming. NCRA maintains our previous stance that pre-recorded content should be captioned offline and 100 percent accurate providing for *de minimus* errors only.

NCRA wants to address an oft-repeated comment that has made its way into the common lexicon related to broadcast captioning: there are not enough qualified captioners to require stations outside of the top 25 media markets to caption all of their content via a live captioner. NCRA, an individual membership organization, currently has approximately 16,000 members, with less of five percent self-identifying as broadcast or CART captioners. Obviously, as a volunteer membership organization, not all working court reporters and captioners are members of NCRA.

Many individuals are drawn to court reporting and captioning because of the flexibility that the career provides, meaning that much of the court reporting and captioning marketplace relies on independent contractors who accept work from multiple firms. This makes it quite easy to ramp up captioning requirements fairly quickly. Firms can broaden their base of independent contractors, and qualified individuals looking for work can accept more jobs.

In particular, NCRA sees enormous interest in programs like our new Certified Realtime Captioner training session as well as any seminar or webinar on transitioning to a career in captioning from traditional court reporting. There are a significant number of court reporters who can write at speeds exceeding 250 words per minute at a minimum of 95 percent accuracy and currently cover depositions and other legal proceedings. With just a small amount of retraining, often done by the captioning companies themselves, these individuals can transition to a career in broadcast captioning.

Additionally, many of the broadcast television stations can take steps on their own to increase the pool of qualified captioners. Currently, many broadcasters still, due to settings on their captioning encoders, cannot receive captions via IP, relying only on out-of-date POTS lines to

¹ Feb. 19, 2016, filing by Rick Kaplan on behalf of the *National Association of Broadcasters*.
<http://apps.fcc.gov/ecfs/comment/view.action?id=60001483704>

² Feb. 16, 2016, filing by Blake Reid on behalf of *TDI, Inc. and Consumer Groups*.
<http://apps.fcc.gov/ecfs/comment/view.action?id=60001431265>

receive their captions.³ This is an issue that affects a substantial proportion of captioners in the country. There are some who, based on where they live, cannot even access the old POTS network meaning that they cannot accept work for some broadcasters.

At this point, many broadcasters have upgraded their encoders to newer models that are able to receive the captions over IP lines. Broadcasters could simply work with their captioning vendors to ensure that there are no service interruptions when switching their encoders to IP. Anecdotally according to some of NCRA's members, broadcasters are loath to make the change because they do not want to disrupt an existing process if it is functioning. Unfortunately, the copper wire infrastructure is not being upgraded, and captioners who live in newer developments or apartment buildings cannot provide the necessary access to some stations.

NCRA is very willing to help work with NAB and the consumer groups in finding a timely solution to this matter. We have previously worked with the Society of Broadcast Engineers on the issue and information was distributed to SBE members.⁴ We would love to participate in similar conversations with NAB as it would certainly help to reduce technical errors with captioning and would immediately increase the pool of qualified captioners.

NCRA also supports the request by TDI on "working ... to survey the captioning provider market, identifying current resources for captioning services, and assessing captioner readiness for expanded demand from the local broadcast stations to caption news programming." NCRA would like to participate in the drafting of any survey but supports the initiative nonetheless.

Like the consumer groups and NAB, NCRA shares the goal of ensuring high-quality captioning. As stated in previous ex-parte filings,⁵ NCRA also remains wary of simply using a pure percentage accuracy number to dictate captioning quality due to the abundance of factors that influence captioning quality. Reasons include, but are not limited to, the quality of prep material received, speed of speech, accents of speakers, number of speakers, and quality of the audio line. However, we look forward to working with the Commission and consumer organizations on finding a specific metric that would truly measure accuracy and reflect the quality of the captions. While NCRA believes the quality of live captioning remains high overall, there certainly are instances in which a poorly trained captioner has been put in a position where he or she could not properly convey the spoken word to the audience. These situations must be addressed, and NCRA wants to work with the Commission and consumer groups to do so.

Taking this a step further, considering the more than adequate supply of qualified broadcast captioners, NCRA believes it is time for the FCC to revisit exempting those broadcast stations outside of the top 25 from the realtime captioning requirements. Consumers and all Americans who utilize captioning deserve a higher quality product than ENT provides and a live, realtime

³ July 9, 2015, filing by Adam Finkel of the *National Court Reporters Association*.
<http://apps.fcc.gov/ecfs/comment/view.action?id=60001091974>

⁴ March 24, 2015, news story posted by the *Society of Broadcast Engineers*.

⁵ Jan. 2, 2014, ex-parte filing by Adam Finkel from the *National Court Reporters Association*.
<http://apps.fcc.gov/ecfs/document/view.action?id=7521072490>

captioner is the best way to provide accurate, timely, complete, and properly placed captions. The captioning quality best practices were an important step towards improving the quality of captioning. By working on enhancing the existing captioning regulations and by providing additional access to realtime captions to more Americans, NCRA is adamant that this critical service that millions of Americans rely upon for access to their local and national news, sporting events, and other live events, will improve as well.

NCRA looks forward to participating in discussions regarding how to better measure the quality of captions and captioners, and looks forward to working to ensure that the FCC's captioning quality best practices implemented in March 2015 continue to improve the overall quality of broadcast captioning for all Americans who require this necessary service.