

## [Comments on Revised Video Description Rules for Television Programming due to FCC by April 18](#)

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The FCC's recent item proposing the adoption of **video description rules** was published in the Federal Register today setting the deadline for Comments in the proceeding as April 18th, with Reply Comments due by May 17th. As we wrote about recently ([here](#)), the FCC has initiated a rule making proceeding to reinstate its prior video description rules with certain modifications, as required by the Twenty-First Century Communications and Video Accessibility Act of 2010 (Act). The proposed rules would require large market broadcast affiliates of the top four national networks and most cable operators and DBS providers to provide programming with audio narrated descriptions of a television program's key visual elements beginning as soon as first quarter 2012. Davis Wright Tremaine previously summarized the Act in our earlier advisory available [here](#).

Now, with today's publication of the Notice of Proposed Rule Making in the Federal Register, the date for comments has been set, and the FCC is moving quickly to implement the rules. In addition to proposing to reinstate the rules previously adopted by the FCC, the item asks many practical implementation questions about refreshing market rankings, applicability of the rules to low power television, and what constitutes the "technical capability" to pass through video descriptions. In particular, the FCC seeks to refresh the list of the top 25 DMAs, as well as update the top five national nonbroadcast networks subject to the rule. Interested parties may file comments with the FCC either in paper or electronically through the FCC's [Electronic Comment Filing System](#) on or before April 18, 2011.

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