

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CONSUMER AFFAIRS

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September 24, 2008
Start: 10:35 am
Recess: 10:40 am

HELD AT: Council Chambers
City Hall

B E F O R E: LEROY G. COMRIE, JR.
Chairperson

COUNCIL MEMBERS:
G. Oliver Koppell
John C. Liu

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2 CHAIRPERSON COMRIE: ...we ready,
3 Madame Sergeant, to start taking--thank you.

4 Good morning, my name is Leroy
5 Comrie, I'm Chair of the Committee on Consumer
6 Affairs. Today we'll be holding the final hearing
7 on Proposed Resolution 1583-A, which is calling on
8 the Federal Communications Commission to
9 investigate Arbitron's Portable People Meter
10 system and its potential effect on the diversity
11 of radio.

12 Arbitron monitors radio
13 listenership and provides its findings to
14 advertisers and broadcasters as a tool on which
15 advertising rates are based. In several cities
16 across the country, Arbitron has [off mic]
17 replacing their traditional data collecting system
18 of handwritten diaries with the Portable People
19 Meter system.

20 PPMS are electronic devices
21 participants wear that record and automatically
22 transport back to Arbitron all audible radio
23 stations within range of the device. The methods
24 by which participants are recruited by Arbitron to
25 wear the devices, the decision to include

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2 demographically dissimilar counties as part of the
3 New York City's ratings market, and the accuracy
4 which with the PPM captures radio listening habits
5 all have potentially devastating effects on the
6 diversity of radio in New York.

7 In cities in which the PPM has
8 already been introduced, urban and Latin radio
9 stations have seen precipitous drops in their
10 ratings, while the general market stations
11 rankings have increased.

12 We first considered the resolution
13 two weeks ago on Wednesday, September 10th. We've
14 heard from a range of witnesses, including
15 Arbitron, minority advocacy groups, and members of
16 the minority media. Although Arbitron's testimony
17 was enlightening, concerns are still paramount
18 concerning the current rate and the current state
19 of the PPM system. I should note that this issue
20 has caught the attention and scrutiny of the
21 Attorney General Cuomo's office and recently the
22 United States Congress.

23 For the reasons I've mentioned, I
24 intend to vote in favor of this resolution. While
25 I do not oppose technological advancements that

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2 would improve accuracy in measuring ratings, I
3 believe that the system must be flawless and I am
4 not anywhere near convinced that this is the case
5 yet with the Arbitron's PPM system.

6 I will conclude my remarks by
7 strongly urging my fellow members to join me in
8 voting in favor of this resolution. I'll ask
9 anyone that would like to make a statement to say
10 a few words.

11 I want to thank Council Member
12 Larry Seabrook for bringing this to our attention
13 and Speaker Quinn and the Speaker's staff and our
14 council and the staff here for my Consumer Affairs
15 Committee for continuing to work on making this an
16 issue. Clearly we want to ensure that the
17 listenership is a true listenership that is not
18 just diverse, but accurate, and clearly Arbitron
19 has not done enough to ensure accuracy.

20 With that I'll see--Council Member
21 Koppell?

22 COUNCIL MEMBER KOPPELL: Yeah, just
23 briefly, I'm convinced that, given the importance
24 of this issue, that it should get a full airing by
25 those perhaps more capable of evaluating it than

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we are as a lay group. So I will support the resolution and, in fact, if it's possible, would add my name to the resolution.

[Pause]

CHAIRPERSON COMRIE: Can make it so. All right, with that, seeing no other comments, I'll move to a vote, and the vote will be on Proposed Resolution 153-A. I vote aye.

COMMITTEE CLERK: Council member Comrie.

CHAIRPERSON COMRIE: Aye.

COMMITTEE CLERK: Koppell.

COUNCIL MEMBER KOPPELL: Aye.

COMMITTEE CLERK: Liu.

[Pause]

CHAIRPERSON COMRIE: Excuse me.

MALE VOICE: ...Chairman, I know it's up to you--

[Pause]

CHAIRPERSON COMRIE: Things are good, things are good.

COMMITTEE CLERK: By a vote of three in the affirmative, zero in the negative, and no abstentions, item is adopted.

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2 CHAIRPERSON COMRIE: All right with
3 that, I'll declare the Committee meeting closed
4 and thank you all for attending this morning.

5 [Pause]

6 [Off mic]

7 CHAIRPERSON COMRIE: Oh, sorry,
8 sorry. [Pause] Note for the record, Council
9 Member Barron had an emergency and has an excused
10 absence for the record, so he won't be marked
11 absent. Thank you.

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C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature

Tammy WittmanDate January 21, 2009