



## Legislation Details (With Text)

<b>File #:</b>	Res 1583-2008	<b>Version:</b>	A	<b>Name:</b>	Federal Communications Commission to investigate Arbitron's Personal People Meter system and its potential effect on the diversity of radio.
<b>Type:</b>	Resolution	<b>Status:</b>		<b>In control:</b>	Adopted Committee on Civil Rights
<b>On agenda:</b>	8/14/2008				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	Resolution calling on the Federal Communications Commission to investigate Arbitron's Portable People Meter system and its potential effect on the diversity of radio.				
<b>Sponsors:</b>	Larry B. Seabrook, Leroy G. Comrie, Jr., Inez E. Dickens, Robert Jackson, Maria Del Carmen Arroyo, Melissa Mark-Viverito, Christine C. Quinn, Gale A. Brewer, Lewis A. Fidler, Letitia James, Jessica S. Lappin, John C. Liu, Darlene Mealy, James Sanders, Jr., David I. Weprin, Thomas White, Jr., Domenic M. Recchia, Jr., G. Oliver Koppell, Michael C. Nelson				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Res. No. 1583 - 8/14/08, 2. Proposed Res. No. 1583-A - 9/10/08, 3. Committee Report 9/10/08, 4. Hearing Testimony 9/10/08, 5. Hearing Transcript 9/10/08, 6. Committee Report 9/24/08, 7. Hearing Transcript 9/24/08, 8. Hearing Transcript - Stated Meeting 9/24/08				

Date	Ver.	Action By	Action	Result
8/14/2008	*	City Council	Introduced by Council	
8/14/2008	*	City Council	Referred to Comm by Council	
8/14/2008	*	City Council	Referred to Comm by Council	
9/10/2008	*	Committee on Civil Rights	Hearing Held by Committee	
9/10/2008	*	Committee on Civil Rights	Laid Over by Committee	
9/10/2008	*	Committee on Consumer Affairs	Hearing Held by Committee	
9/10/2008	*	Committee on Consumer Affairs	Laid Over by Committee	
9/24/2008	*	Committee on Consumer Affairs	Hearing Held by Committee	
9/24/2008	*	Committee on Consumer Affairs	Amendment Proposed by Comm	
9/24/2008	*	Committee on Consumer Affairs	Amended by Committee	
9/24/2008	A	Committee on Consumer Affairs	Approved by Committee	Pass
9/24/2008	A	City Council	Approved, by Council	Pass

### Res. No. 1583-A

Resolution calling on the Federal Communications Commission to investigate Arbitron's Portable People Meter system and its potential effect on the diversity of radio.

By Council Members Seabrook, Comrie, Dickens, Jackson, Arroyo, Mark-Viverito, the Speaker (Council Member Quinn), Brewer, Fidler, James, Lappin, Liu, Mealy, Sanders Jr., Weprin, White Jr., Recchia Jr., Koppell, and Nelson

Whereas, Radio broadcasts have been a fixture in American life since the early part of the 20<sup>th</sup> century, serving as an important source for news, commentary, music and other forms of entertainment; and

Whereas, Home to one of the most ethnically and racially diverse populations in the United States, New York City broadcasts an equally varied array of radio stations, most of which play an important role in providing news coverage and viewpoints that may not be available in the mainstream media; and

Whereas, In addition to providing culturally-relevant information and entertainment, these radio stations also serve as an important source of news for audiences for whom English is not the primary language; and

Whereas, Because radio broadcasts are accessed for free over the airwaves, most broadcasting companies generate revenue from the advertising they sell through their radio stations; and

Whereas, Arbitron Inc. (“Arbitron”), one of the country’s leading marketing and media research firms, has measured listener data on radio audiences using a Radio Listening Diary (“RLD”) for the past thirty years; and

Whereas, The RLD consists of a small journal in which randomly-selected participants keep an account of the radio stations, satellite radio channels and Internet stations they listen to over the span of seven days, as well as the time and location of each listening experience; and

Whereas, In order to more accurately identify the listenership, the RLD also solicits basic demographic and socioeconomic information such as age, gender, race, ethnicity, education level, income level and household size; and

Whereas, Arbitron itself states in its own publication on the RLD that no commercially available research methodology is as dependable, referring to the RLD as “the most comprehensive and effective method for recording radio listening behavior”; and

Whereas, After over thirty years of reliable data collection, Arbitron is now replacing its diaries with Portable People Meters (“PPMs”), which are electronic devices worn by participants that detect and record embedded radio signals and transmit the data to Arbitron, ostensibly providing accurate, real-time records of

radio exposure; and

Whereas, Critics of the PPM claim that it picks up every radio signal in its environs, thus compromising the accuracy of its readings; and

Whereas, In February 2008, Arbitron failed to receive an endorsement from the Media Rating Council for its PPM service in New York;

Whereas, Arbitron has been recording and publishing its PPM ratings in New York on an unofficial basis for the past year and a half; and

Whereas, Arbitron plans to officially discontinue diary-based radio ratings and commercialize its PPM service in New York on October 8, 2008; and

Whereas, Since Arbitron began publishing its unofficial PPM ratings last year, it has shown a significant decrease in ratings for New York City's urban and ethnic radio stations; and

Whereas, The PPM method has been criticized for disproportionately benefiting general market radio stations at the expense of urban and ethnic stations, whose audiences are smaller but who remain tuned in for longer periods of time; and

Whereas, The National Association of Black Owned Broadcasters ("NABOB") has proposed the argument that the PPM ratings are of limited use to advertisers because the devices simply measure exposure to radio signals and fail to take listener engagement and preference into account; and

Whereas, NABOB has also raised concerns about the underrepresentation of minority audiences in the PPM's participant pool, a problem that occurred in Houston and Philadelphia after the PPM system became the official currency in those two cities; and

Whereas, Use of the PPM rating system could put the livelihood of New York City's urban and ethnic radio stations in jeopardy if they experience a significant decrease in ratings, which would inevitably result in a decrease in revenue; and

Whereas, The loss of urban and ethnic radio programming in New York City would further

disenfranchise groups that are already being underrepresented in many other areas; and

Whereas, Despite the fact that the PPM system is not yet official, several New York City-based radio stations have already altered their content in ways they anticipate will improve their performance on the PPM ratings system; and

Whereas, The Federal Communications Commission's Advisory Committee on Diversity for Communications in the Digital Age recently voted in the affirmative on a resolution to investigate the suggestion that the PPM ratings system might be inherently biased against racial and ethnic radio stations; and

Whereas, While increasing accuracy in measuring radio stations' ratings is a laudable goal, it is imperative that the process is applied as fairly as possible; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Federal Communications Commission to investigate Arbitron's Portable People Meter system and its potential effect on the diversity of radio.

DMB  
8/20/08  
LS# 6027