

**Washington, D.C. 20554**

In the Matter of	)	
	)	
Children's Television Programming Rules	)	MB Docket No. 18-202
	)	
Modernization of Media Regulation Initiative	)	MB Docket No. 17-105
To: The Commission		

REPLY COMMENTS OF STEVE ROTFELD PRODUCTIONS

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Dated: October 23, 2018

## **INTRODUCTION**

In its NPRM introduction, the FCC cites significant changes in the way children consume video programming and proposes to give broadcasters greater flexibility in “serving the educational and information needs of children.”

Through a variety of proposals, many commenters have interpreted “greater flexibility” by substantially reducing, weakening, or in some cases, effectively eliminating broadcasters’ obligations.

If modernizing any particular rule has the effect of providing more flexibility to broadcasters but does not continue to serve the educational and informational needs of children, it fails the FCC stated objective in modernizing E/I.

Steve Rotfeld Productions (SRP) has been producing and distributing E/I programs since 1993. It currently produces and distributes a 3-hour block of E/I entitled Xploration Station, a STEM related block, airing mainly on Fox affiliates.

On behalf of SRP, its employees, both full-time and part-time, its chain of independent contractors and vendors, all of whom rely on the continued production of educational and informational programs for their livelihoods, SRP submits the following response.

## **DISCUSSION**

### **A. Multicast Carriage Will Result in the End of Original E/I Program Production**

Regarding multicast channels, the question is whether the educational and informational needs of children would be served by moving the content to multicast channels.

The proposal to allow multicasting stations to choose on which of their free over-the-air streams to air their required Core Programming hour will immediately result in the end of original production of educational and information programs for children on commercial broadcast television.

The audience is a small fraction of the primary channels. There is no way to ensure similar viewership on these channels; most have low brand recognition and parity with primary channels in the foreseeable future is unrealistic.

With ad rates severely impacted by placement on marginally viewed multicast streams, no producer or distributor will finance new shows. SRP provides E/I to both “diginets” and main channels, selling ads on both, and its experience is that the multicast streams generate a tiny fraction of the revenue of main channels. Congress clearly intended E/I programming to exist

on a market-based model whereby ad revenues supported the productions of the programming, and such a move to multicast would not support production.

Therefore, educational children's programming on multicast channels would consist of reruns of previously produced product whose shelf-life is limited and whose value is marginal. The end result will be a steady march to obsolescence for educational programming on commercial broadcast television.

The other modifications being considered by the FCC are rendered meaningless by a move to multicast channels. What is the point of this entire exercise if the fruits of the FCC's efforts are hidden away on channels that are barely watched?

If E/I shows migrate to multicast channels, the benefits of E/I disappear in service to greater broadcaster flexibility. Surely, there are other ways to give broadcasters greater flexibility without substantially eliminating the genre for millions of children and adult influencers.

Furthermore, if, as the FCC states in its NPRM, the goal is to "improve broadcasters' ability to serve the educational and informational needs of today's young viewers," it is impossible to discern how killing original E/I production, and moving old content to barely watched channels, improves or serves anything.

## **B. The Benefits of E/I Extend Beyond Children's Viewing**

SRP's Xploration Station block of STEM-related shows generates tens of millions of views per year from children ages 2-16 on linear television.

One of the most enduring aspects of E/I is also its appeal to families. Adult viewership is just as important as kids' viewership, maybe even more so. And when adult "gatekeeper" viewership is accounted for, the numbers multiply and E/I's value becomes even greater.

Mothers, fathers, grandparents, and educators rely on quality educational content provided by E/I programs.

Due to privacy issues, SRP is unable to publish here the hundreds of emails it receives supporting this proposition. However, a small sampling of comments on the public Xploration Station Facebook page (<https://www.facebook.com/pg/xplorationstation/reviews>) helps illustrate the point:

1. "As a teacher with a biology background I love gaining knowledge to stimulate my mind and share with my students."
2. "I am an expressive arts therapist in training and these are easy ideas where families who may not be able to afford instruments can participate in the instrument making and instrument playing process."
3. "I am an art teacher who just watched the migration episode, followed by rewatching the space episode, topped off with the technology and education episode. This series is

incredible!! ...Glad it showed up unexpectedly on my TV and is an accessible STEM educational option.”

4. “I happened across your program on a Sunday afternoon and my family loves it!! Thank you for everything that you do, we need more shows like this. Oh, and it is giving me all kinds of ideas for my children's science projects.”
5. “Our Charlie loves the show! Thanks for putting together such great programming!”
6. “I drag my kids to the tv to watch this program. Just fantastic!”
7. “This should be required viewing for kids. Amazing stuff on here.”
8. “This show is so awesome! I wish that it was around when I was a girl but I make sure my grandchildren watch it.”
9. “We discovered this show as school was starting and have made it part of our school day. We've learned so much and gotten lots of good ideas for projects. Keep up the good work!”
10. “After cooking with my boys on Saturday mornings we sit and watch this program! We love it!”
11. “An insight into a whole new world...I wish more youth were exposed to this awesome show.”
12. “Awesome Saturday Morning Entertainment and Learning. Well done and Thank You.”
13. “Very cool DIY science experiments to do at home or with your class !!!”
14. “A place for youth to be inspired, and see where we are and where they can go.”

The importance and effectiveness of regularly scheduled E/I cannot be measured solely on the number of kids 2-16 watching. These shows also find their way into children’s lives through adult influencers who know where and when to find them, and influence the content kids watch.

### **C. Broadcasters Have a Unique Role in Providing Children’s Educational Content**

The argument is made that, as time has passed, other choices and platforms for children’s educational content have evolved, and therefore, broadcasters should be relieved of some of the obligations that the FCC has required in the past.

The cable network alternatives cited in the NPRM are entertainment networks, not educational networks. Simply because a network airs children’s content does not mean it is airing children’s *educational* content and in many cases, they are not. Broadcasters occupy a unique position among commercial networks in that this three-hour requirement obliges them to air children’s *educational* content.

The internet as an alternative platform can be helpful, but it is un-curated and, in many cases, the quality is low. SRP’s Xploration Station block of STEM shows has received 20 Emmy nominations over the past four years, including the categories of Outstanding Children’s Series, and Outstanding Educational Informational Series. Common Sense Media, the leading independent nonprofit organization dedicated to helping kids thrive in a world of media and

technology, has placed four Xploration Station shows in its “Best Science Shows for Kids” category.

The commercial broadcast financial model makes this possible while the “wild west” of uncurated internet sites, many underfunded, are often unreliable destinations to find quality content.

## **CONCLUSION**

Children’s educational programming on commercial television reaches many, many millions of children. It educates them, it inspires them, and it takes only one inspired child to change our world.

Even so, E/I programming is often viewed narrowly in terms of how many children are watching a given program. Some peripheral vision is required to fully appreciate the entire scope of its benefits.

As stated above, adults are crucial viewers of E/I programs.

After airing, E/I programs do not disappear into the atmosphere: they end up in schools as part of curriculum, and they end up in libraries for education purposes.

They end up in homes where parents use them to home-school their kids.

Show hosts spread the education message in speeches, festivals, and at schools where they directly interact with tens of thousands of children who may be interested in pursuing science careers.

The content also migrates to the digital world, available to children and adult influencers in short and long form on various platforms.

Social media promotion, by copyright holders, hosts, and story subjects, reaches millions more.

So, in addition to the millions of viewers on broadcast television, there is an entire educational ecosystem that this content feeds. At the center of this ecosystem is commercial broadcast television, the “keystone species” of the E/I world. However, the survival of this ecosystem is dependent on broadcasters airing this content on their main channels. Without access to broadcasters’ main channels the programming cannot be produced and the benefits stated above would vanish.

Proposals to substantially water down, eliminate, or seriously diminish broadcasters’ commitment to educational programming may provide more flexibility, but they fail to serve the educational and informational needs of today’s young viewers.

Respectfully submitted,

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