

Before The
Federal Communications Commission
Washington, D.C. 20554

In re Matter of

PROMOTING DIVERSIFICATION OF OWNERSHIP IN
THE BROADCASTING SERVICES

) MB DOCKET NO. 07- 294

)

REVIEW OF MEDIA BUREAU DATA PRACTICES

) MB DOCKET NO. 10-103

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AMENDMENT OF PART 1 OF THE COMMISSION'S
RULES, CONCERNING PRACTICE AND PROCEDURE,
AMENDMENT OF CORES REGISTRATION
SYSTEM

) MB DOCKET NO. 10-234

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To: Secretary, Federal Communications Commission
Attention: The Commission

Petition for Reconsideration

American Public Media Group hereby respectfully petitions for reconsideration of the Report and Order, Second Report and Order, and Order on Reconsideration in the above-captioned matter. The impact of the new rules requiring FRNs or RUFRNs for the governing board members of noncommercial broadcast stations will have a potentially chilling effect by negatively impacting our ability to attract diverse community volunteers to our board.

American Public Media Group is the parent support organization for Minnesota Public Radio and Southern California Public Radio. Minnesota Public Radio ("MPR") is one of the largest statewide public radio networks in the country, with 45 FM stations.

MPR's stations span both large cities and rural Minnesota. Southern California Public Radio ("SCPR") serves the greater Los Angeles metropolitan region and is regularly the most listened to public radio station in the country. MPR and SCPR are non-profit 501(c)(3) charitable organizations, and our stations produce and distribute local and award-winning noncommercial educational programming. MPR and SCPR rely primarily on funding from charitable donations from individuals and corporations, philanthropic grants, and state and federal appropriations. The boards of trustees of both MPR and SCPR are recruited from a pool of diverse, local listeners, and are volunteer community members.

APMG is a strong supporter of radio stations having representative boards of directors and diversity in ownership. APMG, along with qualified public radio stations around the country, must have and report on diversity goals with respect to staff, management and board makeup as a condition of non-federal financial support from the Corporation for Public Broadcasting ("CPB"). APMG and its sister public radio stations are also required to disclose board members names, as well as all public board meetings, on station websites. Being and remaining a "qualified" CPB public radio station means that diversity in board make-up is not just a goal, but a core value.

Unlike commercial radio broadcasters, non-commercial public radio station boards are either (i) community volunteers with no financial interest in the organization; or (ii)

appointees by state or university officials. Board members have no financial interest in public radio stations; rather board members are representative of, and represent, the diverse community interests of markets served by the public radio station.

It is APMG's position that by requiring us – and other noncommercial radio licensees - to comply with the same regulations applicable to commercial radio stations which are privately owned or publicly traded, we will witness a chilling effect on our ability to secure volunteer, local community board members representative of our communities. Volunteer board members serve on the boards of non-commercial broadcasting organizations out of a passion for the mission – not for financial gain. By requiring volunteer board members of noncommercial radio stations to disclose their personal and private information, many may choose to not serve, and diversity – in all its many forms - will be diminished. The collection of private data from volunteer board members that will be stored in government systems that have proven to be vulnerable recently will simply not be acceptable to many individuals who would otherwise volunteer their time and talent as a public servant on noncommercial radio board members. Broad consensus among public media entities that this ruling will be damaging is irrefutable: NPR APTS, CPB, PBS, over 70 other public television and radio licensees have all expressed serious concerns with this ruling through prior FCC filings.

By increasing barriers to board service, with the adverse impact on board diversity, the FCC's FRN rule has the exact opposite effect for which it was intended – to monitor ownership of broadcast stations so that policies can be adopted to improve ownership of broadcast stations by women and minorities. Such ownership, however, is irrelevant for noncommercial public radio stations because these volunteers and public servants do not “own” the stations. If, despite that lack of ownership, the FCC still feels the need to collect that data for the industry, alternative less intrusive means are available. The level of diversity of noncommercial public radio boards is already reported to CPB without specific attribution to individual board members. Using a similar, less intrusive and less chilling alternative should be preferred to requiring FRNs which create a barrier to board service that will otherwise adversely impact our noncommercial board diversity.

For the reasons stated, APMG, respectfully requests that the Commission grant this petition for reconsideration, and exempt APMG and other noncommercial public radio broadcasters from the new rules requiring FRNs or RUFNRs for the governing board members of broadcast stations.

Respectfully submitted,

AMERICAN PUBLIC MEDIA GROUP.

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