

**Before the Federal Communications Commission
Washington, DC, 20554**

In the Matter of

2010 Quadrennial Regulatory Review --)	MB Docket No. 09-182
Review of the Commission's Broadcast)	
Ownership Rules and Other Rules Adopted)	
Pursuant to Section 202 of the)	
Telecommunications Act of 1996)	
)	
Promoting Diversification of Ownership)	MB Docket No. 07-294
In the Broadcasting Services)	

To the Commission

COMMENTS OF PHILIP M. NAPOLI, FORDHAM UNIVERSITY

In March of 2013 I was asked by the Minority Media and Telecommunications Council to serve as a peer reviewer for a study that the organization was commissioning examining the issue of the impact of cross-owned media operations on minority and woman-owned broadcast stations.

As a peer reviewer, I participated in a conference call on March 19th to provide feedback on the research plan and interview protocol that had been developed by the researchers conducting the study. I also participated in a conference call on Wednesday, May 29th to provide feedback on the completed draft that was circulated to the peer reviewers on May 27th.

Given that the nature and substance of this peer review process has apparently become a point of contention in this proceeding, I hereby submit my account of the process and the feedback I provided in regards to the study.

First, it is important to emphasize how this peer review context differed from a traditional academic peer review context. In this case, the organization soliciting the peer review was the same organization that was commissioning the study. This differs from a traditional academic

peer review, in which the solicitor of the peer review (the academic journal) is distinct and separate from the researcher conducting the study.

This is an important distinction in that the assumption of the peer reviewer going in is that the reviewer is not exerting the same kind of editorial authority as is the case in traditional academic peer review. In the context of a traditional academic peer review, the reviewers' feedback can lead to the study not being published. However, in a context such as the MMTC study, or a related context (in which I have participated in the past), such as serving as a peer reviewer for an FCC-commissioned study, the reviewer enters into the process with the understanding that his/her feedback is not likely going to impact whether the study is ultimately released.

I raise this distinction as I think it is important in terms of whether serving as a peer reviewer can/should be interpreted as an *endorsement* of the study or its policy recommendations (which, I understand, is a point of contention in the ongoing debates surrounding this study). I did not agree to serve as a peer reviewer with the assumption that I was being asked to endorse the study or its recommendations, nor was I ever asked to explicitly endorse the study or its recommendations.

In terms of the study itself, I noted in the initial conference call that I thought it was encouraging to see an effort to provide some systematic qualitative research to inform a topic that has been examined almost exclusively via quantitative approaches. I think this kind of expansion of the methodological approaches that are brought to bear on media policy questions is potentially valuable. I also provided some suggested minor modifications to the wording of some of the interview questions.

The obvious and most significant shortcoming in the completed study is the very low response rate. This is something that was acknowledged by all participants in the discussion of the completed draft. In this discussion, I noted that the low response rate was, to some extent, indicative of a broader pattern in communications policy research, in which media/telecom organizations are resistant to providing policy researchers (whether independent or FCC-affiliated) with the kind of information that can facilitate better-informed policymaking; and suggested that perhaps this larger point be raised in the study's Conclusion. Also, in light of the limited amount of data that was able to be gathered, I thought it was important that these limitations be acknowledged in the Conclusion, and I was generally comfortable with how these limitations were addressed in the Conclusion (specifically, the recognition that the findings were "not dispositive" and the acknowledgement that the study was "not intended as a comprehensive random sample survey of all instances of local cross-media operations in markets with stations owned by minorities and/or women."

Respectfully submitted,

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