

**Remarks of FCC Commissioner Michael O’Rielly  
Before the America’s Public Television Stations’  
2020 Public Media Summit  
February 25, 2020**

Thank you, Patrick, for that very kind introduction, and for inviting me to join you all today. Admittedly, scheduling conflicts have repeatedly kept me from attending the Public Media Summit, as I ordinarily travel to Barcelona this week for the annual Mobile World Congress. Sadly, global health circumstances led to the cancellation of that event, and I send my prayers to those caught in the coronavirus crisis. I am fortunate that it gives me the opportunity to be with you to talk about the wonderful world of public broadcasting and the challenges you all may face. That’s not to suggest you were second fiddle, as who wouldn’t want to spend late February in Washington instead of Spain?

All kidding aside, it might seem a bit unusual to hear from a self-admitted conservative Republican on your issues. Don’t anyone get too scared or worry that you are in for a discussion on reining in federal funding levels. That certainly was part of my past career, but the FCC doesn’t have any role in that matter, and I leave it to those with proper authority to sort that out. Instead, I stand before you as someone who has worked for over six years *with* Patrick, Lonna, and the public broadcasting community to make your jobs a bit easier, consistent with statutory responsibilities, by removing unnecessary regulatory burdens. I have also been one to recognize and applaud the efforts of local broadcasters — as distinguished from their national network and cable cousins — to meet the needs and interests of the American people. And, the FCC has worked hard to ensure the broadcast incentive auction repack process has been as smooth as possible for the stations you work for and represent.

When I think of public broadcasting, it is impossible not to be reminded of the words from a New York Times Op-Ed a few years ago by former U.S. Army General and warrior, Stanley McChrystal, who said, “Public broadcasting makes our nation smarter, stronger and, yes, safer.”<sup>1</sup> He further stated, “Public, noncommercial broadcasting is also giving kids social-emotional skills like persistence and self-control that are fundamental to success in school, not to mention in the military, the institution where I spent most of my career.” That’s some endorsement. I doubt I could get such glowing reviews within my own household. In fairness, public broadcasting offers programming that many people actually like and appreciate, whereas I dish out society’s harsh realities to a four- and one-year old. Yet, the sentiments expressed by General McChrystal point to a higher appreciation of public broadcasting from a battlefield and boardroom perspective, far removed from the confines of Washington, D.C. or the Federal Government’s budgetary process. In a perfect world, we all could separate the fiscal discussion from great programming and the like.

*NextGen TV/ATSC 3.0*

I had the chance to hear your previous speaker, John Taylor of LG, discussing ATSC 3.0, now marketed as NextGen TV. You just saw why John is known as one of the sharpest and strongest advocates of this new television technology. In some regards, it is not necessarily hard to convince people of the merits of NextGen TV: it’s not exactly akin to selling umbrellas in a rainstorm, but it certainly isn’t pitching snow boots in the summer either. The technology is certainly impressive and the possibilities it presents will change television forever, assuming consumers and the marketplace are receptive.

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<sup>1</sup> <https://www.nytimes.com/2017/04/05/opinion/stanley-mcchrystal-save-pbs-it-makes-us-safer.html>

For those of you who haven't followed every step of NextGen TV's development, it feels like we are in the third inning of a much longer process. Oh, but where this could go may astound us all. The features, functions, and accessibility opportunities of the technology are extremely impressive. And, if it allows greater monetization for and experimentation by local broadcast stations, it may just provide broadcasters a needed edge in the global competitive environment for video consumers. Few entities are as nimble and able to experiment with new technologies as public broadcasters, so it will be very interesting to see the future develop. I visited the public broadcasting test market in East Lansing, Michigan a while back and was able to see the early game plans. As the technology becomes more ubiquitous, I am excited to witness how public broadcasting may use it.

Obviously, when it comes to NextGen TV, the market, driven by consumers, will ultimately determine what business cases can be made for the various applications that are being tested. The importance of local television stations to their communities stems from the ability of individual stations to know best what programming and services their communities want and need, and the same will hold true for NextGen TV offerings. In many parts of the country, especially those with seasonal erratic inclement weather, enhanced alert systems, like AWARN, and more detailed emergency information could very likely save lives. Many public television stations are already using the existing 1.0 standard to push alerts for weather and other public safety information, so I could absolutely see the 3.0 standard serving as a platform to enhance what you're already doing, whether that's geo-targeting of alerts or providing photos, video, floorplans, etc. to law enforcement officers and first responders.

Now, in the context of the competition between large, unregulated high-tech companies and broadcasters, the utility of NextGen TV for more targeted advertising has garnered a lot of attention as well. But it is telling that public television stations, which do not rely on the sale of local ad spots, have nonetheless been engaging with this new technology from the very beginning. Along with the commercial stations, your ability to compete with over-the-top (OTT) providers depends on your ability to keep your viewers tuned in to your programming, and this could include improved accessibility options or enhanced interactive services, both of which the 3.0 standard will help to bolster.

Along with better picture quality (though we are starting to approach the limits on what the eye can discern), immersive audio is one application that I believe could be a popular, and important, feature. In conversations I've had with accessibility advocates, they have pointed out the desirability of being able to adjust the audio track in a television program independently of the background sound, allowing the viewer to turn up the dialogue without all the other noise. Whether for those with profound hearing challenges or for those who enjoy watching Masterpiece Classic but can't quite follow some of the accents, the ability to take advantage of dynamic audio could be an effective way to engage more closely with the programming.

The NextGen TV standard will also likely allow your stations already engaged in interactive educational programming to do even more with their over-the-air "classrooms." Many of your stations have deployed virtual classrooms for GED students by licensing technology through Kentucky Educational Television's FastForward initiative or workforce development programs similar to Vegas PBS's successful program in Nevada. With the expanded ability to move data over the air using the 3.0 standard, I am looking forward to seeing how far you can push the limits of educational television.

Those are just some of the applications and features enabled by the new standard. As mentioned, the challenge is convincing the marketplace to adopt the technology. In part, that means having broadcasters – both commercial and non-commercial – firmly committed to a sensible plan. Recently,

this effort has gathered momentum due to the active engagement of new broadcast groups. And, the expansion to new cities seems to be gaining traction with progress expected throughout the year. Thus, the real challenge centers on execution. Can broadcasters continue to make progress adopting the new technology, select the right portfolio of applications that meet the public's needs, and get consumers to buy new television equipment? Public broadcasting will be a crucial component to adoption.

### *KidVid & Needed Reforms*

Moving on to a topic that is near and dear to your mission as public broadcasters: let's talk about children's television. I'll start by saying that it's no surprise *Sesame Street* was the first television show ever to earn a prestigious Kennedy Center Honor this past December, and it's exactly this type of programming that has spanned generations, becoming almost synonymous with public broadcasting. Last year, my effort to update the children's television programming regulations came to fruition when the Commission approved a common sense KidVid reform item. With the Chairman's support, I worked closely with your organization's representatives and all industry stakeholders to find a flexible compliance framework that essentially kept the core rules in place while providing much needed flexibility.

One point that came up again and again over the last couple of years is that your stations already produce the best children's programming on the market, both in terms of quality and quantity. The well-known statistics that your advocates have impressed upon me and other policy makers is that the local PBS station in every market has already met its weekly KidVid requirements by the time breakfast is finished on Monday. With each one carrying at least seven hours per day of kids' shows, your stations have set the benchmark for excellence in this type of programming, and that's before we factor in PBS KIDS 24/7, which reaches an impressive 95 percent of television households across the country.

One of the few requests from non-commercial educational stations was to eliminate the requirement to include the "E/I bug" in your shows airing on mobile platforms. The previous rule requiring this practice simply didn't make sense. There's no dispute that your programming meets the definition of educational and informational, so eliminating the compulsory E/I bug for this type of programming was one small, but important, change that we were able to include in this proceeding. Changes like this may not revolutionize the marketplace, but they will eliminate an unknown as "television" screen sizes continue to change, allowing you to put even more resources directly back into developing the quality content rather than meeting outdated or unnecessary regulations.

While the concerns of public television stations in the KidVid proceeding may have differed somewhat from the needs of your counterparts who operate commercial stations, there is a common thread in terms of seeking efficiencies to better meet the needs of local viewers. Central to the issues we grappled with was seeking to preserve public access, sports, and local news programming, all of which contribute toward each station meeting its public interest obligations. While not all of these types of programs are specifically geared toward children, all of them are geared toward meeting the needs of the community being served by a particular station; and each in its own way implicates the central focus of all of our broadcast regulations: diversity and localism.

On a related note, there is a still pending reform that directly impacts you. Specifically, included in the KidVid item was a proposal asking for comments on the statutory basis and best structure for allowing commercial stations to meet their children's programming requirements by investing in their local public station. While I'll admit there's work to be done to flesh out exactly how this would work, the law

clearly spells out this framework, even though it's never been implemented by the Commission. I would welcome your feedback on this idea and seek your help in determining whether there is a viable path forward. Your stations have already committed, through public comment in the KidVid docket, to continue providing PBS KIDS 24/7, along with broadcasting over 30 hours per week on each primary stream, so it makes a lot of sense to me to seek creative ways to support this work and possibly even grow it.

### *Public Broadcasters' Future*

I believe the future of public broadcasting is fairly bright. I say this for three main reasons. First, you are as local as you can possibly be. That can be very appealing in many circumstances in today's information-intensive, global universe. Consumers, and hence viewers, are becoming ever more mindful of the impact of their decisions to choose global over local. Second, you produce and generate tons and tons of high-quality programming. Such programming will continue to be in great demand as the content pool continues to expand. And lastly, as I have previously commented, your stations experiment by trying new things and testing new technology. These attributes will likely be imperative in the ever-changing video environment.

On that note, I give public broadcasting enormous credit for being at the forefront of datacasting. While many people talk about this as a NextGen TV option, you are already using the current standard in various settings to test out its benefits and shortcomings. In reality, your distance learning programming is really datacasting, but I am most impressed with the work you have done on precision agriculture, which has generated considerable interest within the FCC, and public safety. I don't want to get ahead of myself or ahead of what your organization is ready to publicly discuss, but I think you may just be on to something here, worthy of greater exploration by all those interested in datacasting. Please keep me posted on this effort.

Towards that end, you all would be wise to file any and all information on your datacasting efforts as well as any other comments, in our ATSC 3.0 proceeding, which we expect to see in the weeks or months ahead. Don't miss the opportunity to make sure the FCC is fully up-to-speed on your work before we make decisions that could influence your options.

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So, there you have some of my views on key issues of interest to public broadcasting, and therefore, of significance to me as well. Hopefully, we will be able to continue our collaborative ways to reduce the regulatory burdens on broadcasters, and I look forward to learning more about your datacasting efforts. With that, I'd be happy to answer any questions that anyone may have.