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RECEIVED 19 December 2024

ACCEPTED 18 April 2025

PUBLISHED 09 May 2025

CITATION

Ali C and Forde S (2025) Public media
lobbying: the case of APTS.
Front. Commun. 10:1548625.
doi: 10.3389/fcomm.2025.1548625

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Public media lobbying: the case of APTS

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This paper focuses on the governance structure that links US public television station's largest federal lobbying firm (America's Public Television Stations or APTS) with the recently approved ATSC 3.0 broadcast standard, in which APTS is a major advocate. Using a political economic approach to understand the incentives and motivations behind seemingly contradictory APTS lobbying efforts, we interrogate a string of relationships between large industry players and APTS leadership and board members pertaining to ATSC 3.0 adoption. Through an exploration of motivations driven by logics of market-based success that so often praise the pursuit of innovation, we propose that the actual wellbeing of US public broadcasting stations has been sidelined in its own lobbying firm's efforts to maximize external private profits.

KEYWORDS

public media, PBS, ATSC 3.0, public broadcasting policy, APTS

1 Introduction

Public Service Media (PSM) organizations are often praised for producing more democratically minded journalism due to their separation from the economic forces that constrain commercial media (Lincoln and Pickard, 2024). Of course, varying models of organizing public media across nations leads to varying degrees of commercial influence, with the US system being particularly distinct in its structure. Having been described as unique among western nations in its near complete reliance on commercial media (Benson and Powers, 2011), what little public service media exists in the United States is almost entirely decentralized (Hilmes, 2018; Rowland, 2016). Split into two distinct entities of television (Public Broadcasting Service, "PBS") and radio (National Public Radio, "NPR"), US public media operations include more than 1,500 individually licensed radio and tv stations across the nation.

To maximize the strength of individual public media stations for continued federal funding to the Corporation for Public Broadcasting (CPB) which then distributes money to stations, independent public television stations from across the country have banded together under the unified front of the Washington DC lobbying organization America's Public Television Stations (APTS). APTS has, for the past 13 years, been run by President and CEO Patrick Butler. During this time, the CPB has faced 10 years of flat federal funding (APTS, 2023), while increasingly incorporating advocacy for the adoption of the ATSC 3.0 broadcasting standard by public media stations as one of its top priorities. Described as "NextGen TV," ATSC 3.0 promises a swath of public facing attributes that appear to align with the mission of local public television stations (enhanced educational content, for instance) while simultaneously providing the expansion of "interactive" advertisements to the broadcasting realm. From pushing public broadcasters to front the equipment bill of NextGen TV, to pre-emptively lobbying the US broadcast regulator, the Federal Communications Commission (FCC) to remove the ban on public broadcasters ability to rent out unused signal to commercial entities before ATSC technology was even available in the US (with the new

promise of targeted television advertisements), APTS appears to be advocating for more than just increased federal funding for public television stations.¹ We thus propose that APTS – as the primary organization entrusted to advocate for the continued funding of public television stations – should be more closely examined in order to provide important context to US public broadcasting's organizational decision making and priorities.

Using a political economic approach to understand the incentives and motivations behind APTS's lobbying efforts, we build on Mosco (2009) description of analyzing an organization's corporate board of directors. Mosco (2009, 163) explains “the goal of this approach is to map relationships among members of the body holding primary responsibility for corporate performance”. In doing so, we interrogate a string of relationships between large industry players and APTS leadership and board members pertaining to ATSC 3.0 adoption. This paper builds upon an earlier article where we critically examine the politics behind ATSC 3.0 adoption (Author Removed). The focus of this present paper is not ATSC 3.0 technology, but the relationships orbiting APTS and the push for private interests via the adoption of ATSC 3.0.

This paper focuses on the governance structure that links APTS with ATSC 3.0. Through complicating the reasons why APTS has seemingly shaped its entire policy agenda around the implementation of NextGen TV by public television stations – a move that would, in turn, stretch already paper-thin budgets of stations to expand services they cannot afford to provide – we aim to explore the rationale behind such emphasis. In this paper, we rely on McChesney's definition of public media:

A system that is nonprofit and noncommercial, supported by public funds, ultimately accountable in some legally defined way to the citizenry, and aimed at providing a service to the entire population – one which does not apply commercial principles as the primary means to determine its programming (McChesney, 1999, 226).

With this normative definition in mind, we propose that the actual wellbeing of US public broadcasting stations – while struggling to stay afloat after 10 years of stagnant (and thus decreased) funding – has been sidelined in its own lobbying firm's efforts to maximize external private profits.

2 Background and literature review

2.1 Background: what is ATSC 3.0?

The ATSC 3.0 broadcast protocol was created by the Advanced Television Systems Committee (ATSC) and approved for use in the United States by the FCC in 2018. Using the branding name “NextGen TV,” ATSC 3.0 is the latest standard for over-the-air broadcast

television in North America, promising endless benefits for viewers and broadcasters alike. It is an IP-enabled protocol that allows for a host of new digital affordances including the one-way transmission of data (FCC, 2020). “Datacasting” was originally explored by public media stations during the pandemic to reach school children unconnected at home to an internet network (Fybush, 2022). In addition to benefits like children's educational opportunities and hyperlocal news, the FCC writes how

This new standard has the potential to greatly improve broadcast signal reception, particularly on mobile devices and television receivers without outdoor antennas, and it will enable broadcasters to offer enhanced and innovative new features to consumers, including Ultra High Definition (UHD) picture and immersive audio, more localized programming content, an advanced emergency alert system (EAS) capable of waking up sleeping devices to warn consumers of imminent emergencies, better accessibility options, and interactive services (FCC, 2017, 2).

As an IP-enabled delivery standard, it also allows for mobile reception and is compatible with 5G networks. The Public Media Group – itself described as a “boutique investment bank serving public broadcasters” (see Langer, 2021) – added the following benefits to this list:

- (i) distance learning services, such as distributing subject- and classroom-specific lectures and reading materials to students, and broadcasting content to school buses during long rural commutes to make that time more enriching for students; (ii) trusted, encrypted, and curated distribution of health-related content to those unserved and underserved by high speed internet; (iii) emergency alerting services that allow more homes, vehicles and first responders to gain access to life-saving information; (iv) expanded distribution of local and hyper-local news to audiences across a community; and (iv) software and cybersecurity updates to power smart cities, automobiles and IoT products and applications (PMG, 2020, 2)

ATSC 3.0 was originally proposed to the FCC by a consortium of stakeholders including America's Public Television Stations, the AWARN Alliance, Consumer Technology Association and the National Association of Broadcasters (2016).

Strongly encouraged by the commercial broadcast industry who has formed multiple partnership groups to experiment with and deployment ATSC 3.0 technology, the adoption of ATSC 3.0 was nevertheless a controversial decision. Specifically, Sinclair Broadcasting, one of the largest television station ownership groups in the country, and one of the loudest advocates of ATSC 3.0 adoption, is also one of its leading patent holders (Nasr and Chao, 2018). In 2017 FCC Commissioner Jessica Rosenworcel explained “We know that Sinclair Broadcasting—which holds essential patents for ATSC 3.0 — has been one of the biggest champions of this new standard” (Halonon, 2017), cautioning the rapid adoption of ATSC 3.0 based on the wellbeing of consumers before FCC Chair Ajit Pai's approval of the standard in 2018 under voluntary adoption. Three other major concerns of the protocol concern reception, return traffic, and privacy. First, ATSC 3.0 is not compatible with previous television sets, meaning that consumers will either need to purchase an adaptor or a brand-new set, something Rosenworcel said amounts to “a tax on every household with a television [qtd. in FCC (2017, 132)]. Second,

¹ According to APTS.com, “America's Public Television Stations (APTS) is a nonprofit membership organization ensuring a strong and financially sound public television system and helping member stations provide essential public services in education, public safety and civic leadership to the American people.”

while ATSC 3.0 permits the transmission of a data stream over broadcast frequencies, it lacks a return path, thus stymying interactivity. Again, according to Rosenworcel:

That means while it can push data to the public, it cannot receive data back. That's a big obstacle for work, education, or telehealth online. Because as our movement to online life during the past several weeks has demonstrated, we are going to need more symmetrical connections to support next-generation services on our networks [Rosenworcel qtd. in FCC (2020, 32)].

The third issue is that of privacy because ATSC 3.0 allows for the same level of data capture as broadband and social media services (FCC, 2017). This includes the harnessing of data for targeted advertisements (Author Removed). Providing private broadcasters with the capacity to introduce targeted advertising, would help close the gap between digital and broadcast advertising. Such practices benefit commercial broadcasters who would host the targeted ads, advertisers looking to reach television heavy audiences more precisely, and the technology production firms who would be required to provide equipment for such.

2.2 Literature review

US public broadcasting differs from other comparable systems (notably Canada, Australia and the Public Service Media organizations of western Europe) in terms of both history and funding. Public television followed commercial television and was not formally codified in US law until the passage of the 1967 *Public Broadcasting Act*. The formalization of public broadcasting was hoped to correct what then-FCC chair Newton Minnow described as the US's "vast wasteland" of commercial television (Ouellette, 2002; Hilmes, 2018). Earlier, the 1965 Carnegie Commission on Educational Television argued for a strong local television system catering to local communities. While today, the Public Broadcasting System (PBS) is indeed comprised of over 350 stations, the commitment to localism and communities is debated (Ali et al., in press; Lincoln and Pickard, 2024). Historically thought of as a second-tier system to correct the market failures of commercial television rather than stand on its own and constantly challenged with defunding initials by political conservatives, Hilmes (2018) has described PBS as the "dark horse in American public consciousness" (47).

A second difference between US and European-style public broadcasting is funding. Owned and operated by community, educational or governmental organizations, US public television stations are largely independent and thus must find their own funding, aside from small federal and state funding. This funding has, in recent years, been increasingly bleak. Congressional appropriation has stagnated at \$465 million a year (with an extra monetary bump during COVID-19) and is supplemented with donations and grants. This underfunding of public media is made clear in calculations by Neff and Pickard (2021) that found the US contributed, on average, only \$3.16 per capita (when all revenue sources are counted), roughly a third of the global average of \$9.87 per capita. Through a systematic analysis of the funding of public media in 33 countries, Neff and Pickard (2021) link the spending on public media and the thriving of public media to a healthy democracy, arguing "that funding

mechanisms that deliver high levels of secure (multiyear) funding and regulatory structures that establish 'arm's-length' relationships between public media and governments consistently go hand in hand with strong support for and engagement with democratic processes" (19). The authors worry therefore about the state of democracy in the United States with such a poorly funded public media sector.

Because of its meager public allocations, recent revisionist histories of US public broadcasting have suggested that public broadcasting has always depended on the commercial realm, including commercial broadcasters (Shepperd, 2023). Similarly, Barnouw (1978) and later Ouellette (2009) use the term "safely splendid" to capture the attempt of public broadcasters to present noncontroversial programming so as to not offend corporate and individual donors.

ATSC 3.0 joins the list of examples of how public broadcasting has always required the "help" of commercial outlets (Author Removed). What is different in this case, however, is the fact that one of the entities leading the charge toward the adoption of ATSC 3.0 is the federal lobbying group for nearly all public television stations across the country. This paper critiques the role of APTS - an organization funded by local stations to establish representation and good-will in an extremely divided US government - and the role they have played in bringing US public broadcasting even closer in line with the logics and representatives of commercial, private broadcasters (Author Removed). We do this through a two-pronged approach, looking both at the macro-organizational level of APTS involvement in the push for ATSC 3.0 through a stakeholder analysis consisting of filings to the FCC, as well as through a micro level stakeholder analysis of the relationships, experience and expertise of "at large" members on the APTS board of trustees.

3 Methods and materials: the political economy of ATSC 3.0 stakeholders

To better understand the extant power asymmetries in the relationships between stakeholders regarding ATSC 3.0, we embrace a critical political economy of communication approach (CPEC) (Mosco, 2009; Hardy, 2014). Critical political economy of communication concentrates on a specific set of social relations organized around power or the ability to control other people, processes, and things, even in the face of resistance. For this reason, the political economist of communication often looks at shifting forms of control along the production, distribution, and consumption circuit (Mosco, 2009, 25).

Following this logic, we are interested in the role of powerful stakeholders in the decision by US public broadcasters to not only endorse, but to lobby for, the adoption of the ATSC 3.0 standard. We are particularly inspired by the words of Mosco (2009) who encourages CPEC scholars "to map relationships among members of the body holding primary responsibility for corporate performance" (163).

Mosco (2009) and later Freedman (2014) note the importance of not only studying individual owners of media companies, but the larger social relationships impacting their decision making. These social relationships, both individual at the level of boards of directors, and structural, at the level of stakeholders, constitute what Freedman (2014) has called "media power." Here, Freedman reminds us that "media power is best understood as a relational property." Accordingly, we ought to "focus on structure with an emphasis on whose interests

are best representing by existing ownership arrangements” (57). As Freedman continues.

[Media power] refers instead to a set of relationships that help to organize the deployment of the symbolic resources that play a vital role in social reproduction and that, in conjunction with other institutions and processes, help to structure our knowledge about, our ability to participate in, and our capacity to change the world (Freedman, 2014, 30).

Earlier, Mills (1956) also focused on the interrelationships between the boards of directors of major corporations and organizations in his seminal study of the “power elite.” Anticipating the relational dynamics found in both Mosco and Freedman, Mills writes how “the key organizations...are the major corporations themselves, for on the boards of directors we find a heavy overlapping among the members of these several elite” (283). Extending this logic, Miliband (1969) adds that when sitting on the boards for public sector enterprises, these elites ensure the ideological organization of the public sector aligns with the private sector. As he notes.

The exceedingly conventional, bureaucratic and ‘businesslike’ manner in which the government envisaged the administration of the nationalised industries, combined with its appointment of men drawn from large-scale enterprise to their boards, helped to ensure that the enlarged ‘public sector,’ far from proving in any sense an embarrassment – let alone a threat – to the private sector, would in fact become an exceedingly useful adjunct to it (78).

A focus on relationships and the asymmetrical power arrangements therein, allow us to interrogate the discourses and coalitions formed in the discussion around the US adoption of the ATSC 3.0 standard. To identify, diagnose, and decouple these relationships, we rely on the method of stakeholder analysis.

Stakeholder analysis is a tried-tested-and-true method within multiple strands of communication and media policy (Van den Bulck, 2012; Ali and Duemmel, 2018; Van den Bulck and Donders, 2019). Stakeholder analysis involves the identification of stakeholders pertinent to a policy issue, the description of their positions, and the mapping of their relationships to the issue and to each other (Van den Bulck and Donders, 2019). Explained by Van den Bulck, “stakeholders are people groups or organizations with a vested interest in (the outcome of) a particular policy” (453). Stakeholder analysis encourages us to ask questions like “how do actors try to stake their claim, how do they related [sic] to other stakeholders and to policy decision makers; how do stakeholders fight it out until a particular policy outcome emerges?” (452). In addition to simply identifying stakeholders, one of the revealing aspects of the method is to trace and map stakeholder’s “ideological positions” (Van den Bulck, 2012) and to determine where discursive or “advocacy coalitions” emerge (Van den Bulck and Donders, 2019). As described by Van den Bulck and Donders (2019) advocacy coalitions.

See[] relationships between actors who share similar values and beliefs result in advocacy coalitions. These can be tight or loose and cut across governmental and non-governmental boundaries...

What links them is a shared set of beliefs and a general agreement on the best solution to a certain policy issue (89).

Stakeholder analysis allows us to map similar ideological positions and discursive formations especially among those actors who typically do not fall on the same side of the ideological coin (for instance, consumer advocates and large broadcasters).

We conducted two levels of stakeholder identification as it pertains to the complexities of APTS’s role in the ATSC 3.0 adoption. First, we relied on the publicly available list of commentators to the FCC ATSC 3.0 docket (Docket No. 16–142). Here, we catalogued “players” - those who issued interventions to the FCC’s first call for comments in 2016 - and included some later petitions as well. We screened out individuals and focused solely on organizations, institutions, and corporations. This came to approximately 89 unique stakeholders. We then employed document analysis (Karpinnen and Moe, 2019) to analyze each of their interventions to the FCC (which ranged from a few pages to over 20 pages per submission). In doing so, we were able to catalogue stakeholder arguments, rationales, and ideological positions.

Next, we examined the board of trustees of APTS – the key organization of focus for our study and one of the three initial petitioners to the FCC regarding the adoption of ATSC 3.0. The members of the board are stated publicly on the website, and we traced their positions and mapped their other board responsibilities. Murdock (1982) complicated the exploration of ownership by emphasizing that while it may “seem” straightforward, “when it comes to large, publicly traded corporations, we must distinguish between legal and economic ownership” (Corrigan, 2024, 23). What is distinct about APTS is its non-profit status as a membership organization, further complicating the explicit traceability of political and economic incentives through divisions of legal and economic ownership terms.

This dual focus allows for a nuanced understanding of the macro/structural relationships that defined and determined the adoption of the ATSC 3.0 and has provided us with a better understanding of the guiding rationale and position of US public media’s chief lobbying organization.

Based on our stakeholder analysis inspired by political economy’s focus on social relationships, we first identify a large advocacy coalition, including APTS, PBS and CPB that focuses on the market-based logics of ATSC 3.0 adoption. By market-based logics, we mean arguments and conclusions that prioritize free market principles above (and often in contradiction to) the interests of the greater public. Second, we argue that the actual wellbeing of US public broadcasting has been sidelined in APTS’s efforts to maximize financial gains for external private interests.

4 Findings

4.1 Players

4.1.1 Initial petition

The initial Joint Petition for Rulemaking was submitted by APTS, the AWARN Alliance,² the Consumer Technology

² The Advanced Warning and Recovery Network Alliance a consortium of companies “Dedicated to expanding the capabilities of next-generation digital TV broadcasting to deliver reliable, rich media alerts anywhere, anytime and

Association, and the National Association of Broadcasters. Submitted to the FCC in April 2016, the petition requested that “the Commission to adopt Next Generation TV as an additional broadcast transmission standard” (FCC, 2017, 2). More specifically, the petitioners requested the FCC adopt ATSC 3.0 on a voluntary basis, wherein:

Broadcasters will use market-based solutions to introduce this enhanced capability on existing spectrum while not disenfranchising viewers using ATSC 1.0 equipment, and consumer electronics manufacturers will implement the new standard in response to market demands rather than regulatory mandates (3).

Remarkable about this document are the stakeholder petitioners: The chief lobbying arm of public broadcasting, the chief lobbying arm of commercial broadcasting, an emergency response group, and a consumer advocacy organization. The logic of the petition, as evidence in the above quote, was that of the commercial market and individual choice, rather than mandates and regulations. Despite repeated mention of the market, benefit to consumers, and to (commercial) stations, there was no mention of the specific advantages of ATSC 3.0 technology to public broadcasters.

4.1.2 Market-driven, light-touch, and voluntary

Our stakeholder analysis reveals a strong advocacy coalition formed around the endorsement of ATSC 3.0 and the corresponding rationale of market-based decisions and light touch regulation. This coalition included private commercial broadcasters, station ownership groups, networks, technology companies, the National Association of Broadcasters (NAB), along with APTS, PBS and the CPB and consultant firms like Public Media Company and the Public Media Venture Group.

Looking at the filings of those in the dominant advocacy coalition, comments focused on four major themes:

1. The benefit to consumers in the form of enhanced viewing and options
2. The importance of market-place decisions
3. Voluntary adoption by stations
4. Light touch regulation

The benefits of ATSC 3.0 to consumers has already been documented in this paper, as such the remainder of this analysis will focus on the second, third and fourth themes. Connecting these is a reliance on an individualistic and market-based logic that privileges station decisions over regulatory authority. For instance, *Pearl TV (2017)*, one of the major industry trade associations created to advance ATSC wrote:

In determining how ATSC 3.0 should be implemented, the Commission should rely significantly upon market-driven adoption of simulcasting agreements by which television broadcasters will

find innovative and efficient ways to bring ATSC 3.0 signals to communities while maintaining access to ATSC 1.0 signals (2).

Edge Networks (2022) – a broadcaster – was more direct in its comments to a later iteration of this docket: “the regulatory stage is set for widespread deployment of 3.0 to the great benefit of consumers. What is needed now are fundamental and free market forces” (4).

Together with a market-based logic, is that of “light touch regulation” – in concert forming the dual pillars of neoliberal policy making. Broadcast owner and network ION Media, for instance, praised the FCC for its “voluntary adoption of ATSC 3.0” exclaiming it “a quintessential example of how ‘light-touch’ regulation can encourage technological progress and value creation for the media industry without disrupting relied-upon service to viewers” (*ION Media, 2017, 3*).

Even those who were skeptical of ATSC 3.0 adoption, namely those representing Multichannel Video Programming Distributors (MVPDs, re: cable companies) underscored the importance of voluntary adoption:

All the public interest benefits of Next Generation TV can and will be achieved without any risk of harm to industry stakeholders, consumers, or the FCC. CMG strongly supports the Joint Petition’s concept that broadcaster – and consumer – adoption of the Next Generation TV standard should be entirely voluntary (*Cox Media, 2017, 3*).

AT&T (2017) connected all of the dots, reminding the Commission that they “must ensure that consumers are not adversely affected by such changes and that the ATSC 3.0 transition is truly ‘voluntary’ and ‘market-driven’” (1).

APTS filed two comments to the FCC’s initial inquiry into ATSC 3.0. One with Consumer Technology Association, AWARD and the NAB, and a second with PBS and CPB. In both filings, market rhetoric reigned supreme. In its comments with the AWARD Alliance, CTA, and the NAB, APTS stressed that “the Commission’s goal should be to provide broadcasters with as much flexibility as possible, consistent with their public interest obligations. The Commission should allow the market, not regulatory dictates, to determine whether or not Next Gen is successful” (*America’s Public Television Stations, the AWARD Alliance, Consumer Technology Association and the National Association of Broadcasters, 2017, 3*). APTS doubled down on this logic in its joint filing with PBS and CPB (*PTV, 2017*). Here, it emphasized the need for “a light-touch approach” to “allow the Commission to maximize industry flexibility to respond to evolving and unpredictable market dynamics” (16). That the chief advocate of public broadcasting to the US broadcast regulator assumed the same rationale as their commercial counterparts opens the door to several avenues of critique, notably around the logics used by APTS to advance ATSC 3.0 adoption.

4.1.3 PTV

Obviously, the direct filings from public broadcasters and their supporters – notably PBS, CPB, and APTS – focused on the value of ATSC for public broadcasting stations. Indeed, as one of the early pages of the PBS, CPB, APTS (collectively “PTV”) filing stated “the ATSC 3.0 broadcast television standard will enable public television stations to advance their longstanding public service missions by

to enhance the nation’s emergency preparedness for the public and first responders alike” (*America’s Public Television Stations, the AWARD Alliance, Consumer Technology Association and the National Association of Broadcasters, 2016, 2*).

pursuing a wide variety of benefits that the standard enables” (PTV, 2017, 4).

However, the petitioner’s recommendations to the FCC for the regulatory architecture of ATSC 3.0 mimicked those of commercial entities, notably in recommendations for a light touch, volunteer, and a preference for individual market focus. Words like “flexibility” “voluntary” “simplify” “fluid” and “light touch” pepper the filing of PTV, coupled with phrases like “a nationwide one-size-fits-all approach with extensive or detailed regulatory requirements would not support the customized station implementation strategies that will be necessary given varying local circumstances and needs” (3). This is notable given that in a future petition, public television stations will actually require enhanced regulatory support to allow for simulcasting and “hosting” so as to not violate their noncommercial status (Flybush, 2020).

Later in the same petition, PTV argued.

The Commission should adopt a flexible overall approach in all of its decision-making for ATSC 3.0 rules that minimize regulatory burdens and facilitates stations moving to the new standard (15).

And,

The Commission should aim to facilitate and simplify broadcaster collaboration, without substituting its own judgement on the inevitable trade-offs involved in ATSC 3.0 deployment for that of local stations (17–18).

What is remarkable in these examples is not the endorsement of ATSC 3.0 by public television advocates. Indeed, there are arguments to be made that ATSC 3.0 provides the possibility of unique benefits to public televisions and their viewers. Instead, what is remarkable is the adoption of the exact same rationales as their commercial counterparts. What is as remarkable as public television and its supporters joining an advocacy coalition in favor of a market-based approaches to ATSC 3.0 adoption, is the silence that accompanies their petitions. Indeed, despite PBS in its filing discussing “collaboration” with commercial entities,³ not a single initial filing outside of APTS, CPB, PBS, Public Media Company and the Public Media Venture Group mentioned the value and benefit of ATSC 3.0 to public broadcasting or the value in having public television stations as partners and collaborators.

Given that the power of public broadcasting in the US, even with its lobbying arm APTS, is minimal compared to that of commercial counterparts like the National Association of Broadcasters, APTS’s adherence to the neoliberal status quo adds symbolic emphasis to the rationale rather than nuance. Indeed, while public broadcasting may not have political or economic power in the US, as demonstrated by its historical trajectory, it nevertheless possesses great symbolic power, notably in securing trust from the American people (Ali et al., in press). Said differently, the presence of APTS through its Initial Joint Petition, and later its

comments with commercial and public counter parts alike, renders legitimate the petition to the FCC to adopt ATSC 3.0 and the market logics that accompany it.

4.2 People

APTS’s status as a non-profit membership organization complicates the assessment of board members from typical for-profit organizations more easily divisible into “legal” versus “economic” terms. Instead, conceptualizing APTS board of trustees as a place for collaboration and the progression of shared interests, we narrow in on one subsection of the board who stand out as peculiar.

While twenty-four members of the board of trustees are listed on the APTS website, many of these individuals come from within the public broadcasting system as managers/CEOs of local stations, or act as board members or volunteers (lay trustees) for local stations. Individuals stemming from positions outside of APTS – those with no affiliation to a public media station – are given the title “At-Large Trustee.” These individuals are tasked with contributing to the responsibility and management of APTS without any clear connection to public broadcasters or the public mission they mean to serve. Of the 24 members on the board of trustees, six hold the title “At-Large Trustee,” and five of those six hold no dual-title that affiliates them with a public media station. These five members and their relationships, interests, and expertise make up our key objects of analysis throughout the following section that employs a stakeholder analysis of the people involved in steering the organization. The following section provides a brief background of each of these five members, and then presents three core themes present throughout their expertise and connections before examining these themes against the interests APTS purports to serve, as well as the interests that mean to directly perpetuate the expansion of ATSC 3.0. To be clear, we are not making causal arguments with this analysis but rather exploring the political economic relationships between the APTS board, APTS priorities, and the promotion of ATSC 3.0.

4.2.1 Trustees

Leo A. Brooks Jr.: *At-Large Trustee, Naples, Florida.*

Leo A. Brooks Jr. recently retired from working as the Vice President of enterprise subsidiary integration in government relations for The Boeing Co (APTS, 2024a). Prior to his time with Boeing, Brooks served in the army for 27 years, and currently sits on the board of the National Defense Industrial Association.

W. Craig Fugate: *At-Large Trustee, Gainesville, Florida.*

W. Craig Fugate served as the Federal Emergency Management Agency (FEMA) under the Obama administration (APTS, 2024b). Prior to this, he worked as Florida governor Jeb Bush’s emergency management director. In addition to starting his own consulting firm – Craig Fugate Consulting LLC – Fugate was a senior advisor at BlueDot Strategies – which, now seemingly closed, described itself as a public relations firm, with staff who “are former Federal Government insiders with international communications experience” (Holdeman, 2018).

Ajit Pai: *At-Large Trustee, Arlington, Virginia.*

Ajit Pai is the former Chair of the FCC under the first Trump administration (APTS, 2024c). The newest member to join the board in February of 2024 (Kurz, 2023), Pai worked as a lawyer in numerous

³ “The commission should aim to facilitate and simplify broadcaster collaboration” (PTV, 2017, 3).

DC offices, as well as for Verizon Communications, before his time at the FCC. He is currently a partner with Searchlight Capital Partners who describe themselves as a “global investment firm particularly focused on technology, media, and telecommunications sectors” (Searchlight Capital Partners, 2024), and recently joined the board of directors of Rakuten Symphony, part of the Rakuten Group Company - a Japanese technology conglomerate that describes itself as “providing global B2B services for the mobile telco industry and enabling next-generation, cloud-based, international mobile services” (Rakuten Symphony, 2022).

Sherrese M. Smith: *At-Large Trustee, Washington D.C.*

Sherrese M. Smith is a managing partner of Paul Hastings in the Media Technology and Telecommunications practice, who “regularly counsels companies on complex transactional and regulatory issues involving media, communications and technology companies” (APTS, 2024d). Prior to this Smith served as Chief Counsel to Chairman Julius Genachowski at the FCC, and she currently sits on numerous boards including that of Cable One (2020) – which hosts a family of large brands (including Sparklight, Fidelity, ValuNet, Hargray, and CableAmerica) that serves “more than 1.1 million residential and business customers in 24 states” (Cable One, 2024).

John D. Zeglis: *At-Large Trustee, Culver, Indiana.*

John D. Zeglis is the former CEO of AT&T Wireless Services, and former President of AT&T before that (APTS, 2024e). Joining AT&T in 1984 as corporate vice president in law, Zeglis quickly climbed the ranks and was named AT&T’s executive vice president and general council by 1986, and was named President in 1997. Previously he sat on the board of directors for organizations such as State Farm Mutual Insurance Co, and Telstra Inc. of Australia, a telecommunications company.

4.2.2 Trends throughout

As explained in the methodology section, stakeholder analysis allows us to map similar ideological positions and discursive formations, particularly amongst actors who typically do not fall on the same side of the ideological coin. The heavy presence of commercial broadcaster relations amongst many of these board members, for example, seems to present conflicting interests to the betterment of widespread public media initiatives. Some may propose that the seemingly peculiar nature of an organization meant solely to serve the needs of public media stations across the country electing members to the board of trustees that appear to have very little experience with public media, but a substantial amount of experience in lobbying and working with commercial counterparts, is not a particularly surprising sight to see in the Washington DC lobbying environment. Such an argument presupposes that the area of expertise a board member brings to the table - so long as they assist in the securing of funds or policies necessary for the driving mission of the organization - is irrelevant. Employing this logic, we outline three trends found throughout the five at-large trustees experiences and affiliations - security, commercial, and legal - and question whether the driving mission behind such relationships aligns with that of APTS.

4.2.2.1 Security

In 2023, the APTS released a statement on “federal funding for public broadcasting’s public safety infrastructure” where they

announced that “The House Homeland Security Appropriations Subcommittee today recommended \$40 million for fiscal year 2024 for the Next Generation Warning System (NGWS) supporting public broadcasting’s public safety infrastructure.” APTS President and CEO Patrick Butler noted “public safety and civil defense are essential parts of public television’s mission to serve the American people” (APTS, 2023). This adoption of safety and defence, while not entirely new to the APTS narrative surrounding the social value of public media, demonstrates a doubling down on the role PSM plays beyond traditional benefits afforded by public broadcasting. The statement continued to explain how.

Public television has partnered with the Federal Emergency Management Agency (FEMA) to provide the Wireless Emergency Alert (WEA) system that enables cell subscribers to receive geo-targeted text messages in the event of an emergency (APTS, 2023).

It also explained that “Public television stations have worked with the U.S. Department of Homeland Security to demonstrate the effectiveness of our public safety communications capability.” These expansions of PSM into providing a public safety warning system connects with the technological adoption of the “NextGen Warning System,” an extension of safety offerings coupled in with ATSC 3.0 capabilities.

The first appropriation request sent to Homeland Security committees available on the CPB website is for 2021 (and filled in February of 2020) (CPB, 2020). This is the same year that Leo A. Brooks Jr. was invited to join the board of trustees at APTS (Miller, 2020), and one year after Craig Fugate first joined (APTS, 2019). The shift of organizational priority toward security and emergency management alongside bringing on two trustees who have vast experiences in the realms of US national defence and FEMA, suggests a re-organizing of APTS priorities. Importantly, along with the clear necessity of CPB to expand funding venues, comes the shift in purpose and value of public broadcasting away from media and toward infrastructural development, such as the NextGen Warning System.

4.2.2.2 Commercial

Ajit Pai has a long history of being friendly to the industries he was meant to regulate as chair of the FCC [see Bode (2025)]. Upon his letter of departure from the FCC, Pai received critiques from activist groups speaking to his prioritization of industry profits over American citizens (Spangler, 2020), and at the same time received high praise from industry trade organizations, including the cable trade group NCTA who explained.

We commend Chairman Pai for his exceptional stewardship of the Federal Communications Commission. He set a clear vision for his tenure and the industry and pursued it with purpose, transparency, scholarly rigor and courage (Spangler, 2020).

Such praise from commercial industries meant to be kept in line under regulatory control from FCC demonstrates a line of tenure aligned with commitment to the betterment of industry. Pai’s current position as a partner with Searchlight Capital [a private entity firm with a history of acquiring communications organizations, see

Abarinova (2023)] further demonstrates his personal ties to industry interests.

4.2.2.3 Legal

The legal connections present amongst APTS at-large trustees demonstrate a vast network of individuals with strong connections to regulatory bodies. Beyond the defense and emergency management connections outlined in the first theme, trustees demonstrate a vast web of political connections closely related to those involved in APTS's push toward the adoption of ATSC 3.0.

Fugate's experience within FEMA is one example, but his role as a senior advisor to BlueDot Strategies is another. The public relations firm boasted about their staff who "are former Federal Government insiders with international communications experience" (Holdeman, 2018), demonstrating an open willingness to rely on government connections. One critic noted the obnoxiousness of advertising this perspective, explaining "they are playing off their 'insider experience' when much is written and said about the revolving door of federal service and consultants going into and out of government" (Holdeman, 2018). The openness of the commodification of policy "insight" via existing connections demonstrates a unifying purpose amongst many trustees.

Smith also presents a plethora of legal insider connections, having previously worked as the chief counsel for previous FCC Chair Genachowski, and currently working to help corporations navigate "transactional and regulatory issues" on these very topics of media and telecommunications policies (APTS, 2024d). Of course, Pai also sits in an extremely powerful position with significant policy connections. Having been the Chair of the FCC when the regulation of ATSC 3.0 was approved for use in 2018, Pai has signaled that he is committed to the development of ATSC 3.0 [see FCC (2017), Pai, 2020]. Yet, critical scholars have expressed that such support actually signifies a corporate relationship looking to better the industries similarly invested in the standard, rather than the core public media message APTS should, presumably, be adopting [see González (2017)]. Beyond the connections and interventions Pai has made within the government, his work with telecom giants – both in the past via his background with Verizon, as well as his current position as a partner focusing on corporate telecom expansion with Searchlight Capital – demonstrates a commitment to bridging corporate needs and federal policy.

4.2.2.4 Contradictory values

If examined from a perspective of commercial value gained by the guidance of trustees well connected to governing bodies with flexible budgets such as FEMA, the commercial players involved in private broadcasting, or the policymakers able and willing to emphasize deregulatory techniques on behalf of private values, the at-large trustees on the APTS board would, of course, make good logical sense. But, when considering APTS as the main federal representative of public media interests in the United States, and considering the definition of public media offered by McChesney in the introduction, the question of if these values can be and *should* be transferred from commercial to public benefit are important questions to ask.

The clearest example of contradictory celebration from APTS is seen in the invitation of Ajit Pai to the board. A "free-market

advocate," Pai described his regulatory principles as "basic economics, the more heavily you regulate something, the less of it you are likely to get" (Pai, 2020). From the beginning of his appointment to the FCC by the Trump administration, which immediately after taking office promised to slash the requested congressional allocation for the CPB from \$445 million down to \$15 million (Tani, 2017), the impact of Pai protecting the interests of public media and the public good has come under question. One consumer advocate described him as a "formidable opponent" for public interest groups (Puzzanghera, 2017). Pai pursued an agenda based on "de-regulating" media ownership rules – leading to rules that allow for the further consolidation of the industry by large conglomerates. Such prioritization of corporations over the American people has been described as "hurting communities" (Floberg, 2017).

Hurting communities, privileging private profits over public benefit, and advocating for the overhaul of FCC regulatory powers do not align with the normatively understood values of public media as a people-focused alternative to commercial media. Yet, Ajit Pai's invitation to join the APTS board by then-president Patrick Butler was described as follows:

Over the course of his four years leading the FCC, Chairman Pai saw clearly the value of public television stations' public service missions of education, public safety and civic leadership, and his support on matters ranging from the spectrum auctions to the adoption of the NextGen TV broadcast standard reflected that vision [quoted in Kurz (2023)].

The ease at which Butler flattens the public service "mission" to broad notions of education, safety and civic leadership – three wholly ambiguous goals – while simultaneously ignoring the track record of Ajit Pai's four years serving as the FCC Chair demonstrates an avoidance of Pai's actual impact in the field. In positioning Pai as a champion of public media, we may infer that Butler really means he is a champion of ATSC 3.0 – a line increasingly blurred throughout the industry push for NextGen TV.

5 Conclusion

An analysis of the role of APTS in the promotion, indeed, lobbying of ATSC 3.0, reveals two ways in which APTS is pushing US public broadcasting further into the logics of the commercial market, thus undermining the normative spirit (though as the literature review notes, not the history) of public broadcasting. First, our structural stakeholder analysis reveals a strong advocacy coalition around the adoption of ATSC 3.0, a coalition which includes APTS. Rather than promote the values of ATSC 3.0 for its constituents – public television stations – APTS preferred to parrot the justifications and rationales of its commercial counterparts. Next, our stakeholder analysis of the APTS board reveals relationships with the security-industrial and economic drivers of contemporary US neoliberalism. We suggest that this may challenge the basis of APTS of an organization lobbying for greater public support of public broadcasting at the national level.

What is of particular concern is when the professional interests of board members and affiliated interest groups become the pioneering logic of the organization itself. As found in the first section of our analysis much of the rationale and logics employed to justify the implementation of the new standard by public broadcasters has simultaneously been used amongst commercial broadcasters to maximize profits (Author Removed). This leads to the reflection on what these end goals grounded in the need for “innovation” - in this case via ATSC 3.0 - mean to do, and whether that aligns with the purpose and values of public broadcasting (McChesney, 1999).

The actions of APTS with respect to ATSC 3.0 have worked to dissolve any remaining boundaries between public and commercial media in the US. The role of APTS in the case of ATSC 3.0 adoption has thus been to align the governance of public broadcasting with those of commercial broadcasters: to make a profit and, eventually, make a further profit off the data of consumers generated. This, we argue, is a dangerous trajectory for public broadcasting as it reinforces already existing arguments as to why such a system is required at all in a digital age of content abundance.

To push back on the current political economic climate in the US where the second Trump Administration intends to zero out funding for public media (Nowell, 2024), and the FCC’s deregulatory campaign through its “Delete, Delete, Delete” agenda (FCC, 2025), public media advocates and their representatives would be wise not to seek the help of the market forces that actively work to dismantle them, but rather to embrace and pursue those normative core values that make them unique to US audiences: trust, information, and education.

Data availability statement

The datasets presented in this article are not readily available because this is a qualitative study of documents. The data generated is

qualitative and interpretive. Requests to access the datasets should be directed to cali@psu.edu.

Author contributions

CA: Writing – original draft, Writing – review & editing. SF: Writing – original draft, Writing – review & editing.

Funding

The author(s) declare that no financial support was received for the research and/or publication of this article.

Conflict of interest

The authors declare that the research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

Generative AI statement

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