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THE POLITICAL ECONOMY OF TELEVISUAL FLOW AND INDUSTRIAL PERCEPTION OF AUDIENCES

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ABSTRACT OF THE DISSERTATION

The Political Economy of Televisual Flow and Industrial Perception of Audiences

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Long before the popular rise of digital video recorders, streaming media services, and mobile devices, Raymond Williams (1975) introduced the concept of *flow* as the culturally defining characteristic of television. Over forty years later, Williams' concept of televisual flow is more relevant than ever as television content and audiences have become diffused and fragmented across a multitude of digital networks, platforms, and devices. This study attempts to conduct a deep-dive into the television industry to build upon Williams' original concept and learn what is at stake for contemporary audiences. Furthermore, it challenges the basic linear/non-linear framework by which televisual flow is typically defined today and attempts to replace it with the more specific concepts of universal and personalized flows. By analyzing trade publications and interviewing industry executives, this research adopts Herbert Schiller's method of "listening in" to the industry in order to reveal the strategies and power structures guiding the programming, measuring, and regulating of televisual flow in the United States. Results portray television as an industry guided by self-preservation and an insatiable appetite for viewer data, strategically protecting legacy business models while inconspicuously transferring

those same strategies onto new forms of flow in an attempt to extract even greater value from audiences.

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Introduction

Long before the popular rise of digital video recorders, streaming media services, and mobile devices, Raymond Williams (1975) introduced the concept of *flow* as the culturally defining characteristic of television. Williams was particularly interested in the ways in which television programmers attempted to guide and maintain audiences through strategic sequences of media. Through his own observations, he theorized that televisual flow attempts to strike a balance between commercials (to generate profit), program content (to attract audiences), and promotions (to persuade viewers to stay tuned) (pp. 90-1). This balance is designed to construct loyal audiences in order to optimize profits. In comparison to his native British television system, Williams was particularly irked by the U.S. television system, characterizing the seemingly "unnatural" program breaks and priority given to commercialism as "irresponsible flow" (p. 92).

However, streaming video platforms today appear to distance themselves from what they would call the old, linear television model. Allowing viewers to choose what they want to watch at a time convenient for them and even being commercial-free (as Netflix claims) has been a major contributing factor to consumers cancelling their paid cable/satellite television services (Robbins, 2018). This practice is otherwise known as cord-cutting. By early 2020, the number of Netflix subscribers in the world had swelled to over 160 million (Snider, 2020) and the subscription video on-demand platforms have spent years positioning themselves as the anti-television programmers.

By the 2010's, reports began surfacing indicating television's impending death (Edwards, 2013; Shirky, 2014; Rosenbaum, 2014). With advertising investments steadily

increasing online (Loechner, 2015) and more digital content becoming available for viewers on mobile devices, these reports have argued that the linear programming model of television can no longer sustain itself. Media content has certainly found a growing audience beyond the boundaries of the fixed device of a television set in the 21st century, but does that mean that television is therefore dying? Should online video consumption be considered separate from 20th century traditional television consumption? Shirky (2014) writes:

> Viewers are abandoning their TV sets to watch on new devices and through new distribution channels. From 2011 to 2012, the number of videos streamed on tablets and smartphones rose 300 percent, with digital outlets like YouTube, Hulu, Netflix and Amazon capturing both new users and more time spent. In other words, the fragmenting that disrupted broadcast television is now happening to cable TV. And the hemorrhaging of audience is happening fastest with the youngest viewers; while TV consumption is declining in every age group… (para. 1 & 2)

Shirky uses the term "TV consumption" in contrast to "the number of videos streamed" as if these are two separate practices. Yet, if you look under the hood of his Hulu example, you will see that the SVOD service launched as a joint venture between legacy television companies Fox, Disney (ABC), and Comcast (NBC)[1]. Thus, the content hosted by Hulu can typically be found on the major broadcast networks. Furthermore, in 2017 Hulu announced the addition of its virtual multichannel video programming distribution (VMPVD) service called Hulu Live where traditional broadcast and cable channel flows are available for viewing through an Internet connection and subscription (Malone, 2017). Therefore, Shirky's definition of television appears to be confined to the fixed device in Americans' living rooms and is far too technologically determinist. As I

[1] By 2019, Disney merged with Fox and stated the intention of buying out Comcast's stake to take full control of Hulu (Lee, 2019b).

will argue, the screen in which content is consumed does not factor into whether said content qualifies as television. Handheld and portable television sets using antennae have existed for decades. Today, tablets and smartphones closely resemble the portable nature of their television predecessors with one main difference: distribution not through broadcast antennae, but through a wireless Internet connection. The difference here that Shirky is referencing has more to do with the type of television content flow viewers are accessing, whether that be a continuous pre-programmed linear feed or through a particular selection of an on-demand content library.

By examining the structure of television from the perspective of Williams' (1975) theory of flow, we might be able to see that the Netflixes of the world are not as anti-television as they would lead you to believe. Williams warned against technological determinism and was instead a proponent for examining the social structures that governed television. He described novel forms of content distribution as "consumer durables" and argued that the capitalist system ensures that they "be attractive or made to seem attractive to existing owners, so that a new wave of demand can be generated" (p. 136). Promotions and commercialization are still alive and well inside most streaming platforms, an indication that the quest to control audience behavior and preserve the traditional programming model endures. Additionally, audiences are working harder to select and watch content, all the while producing exponentially more personal data than what was typically collected in 20th century television systems. Yet despite this seeming endurance of the traditional structure of television flow, audiences seem to be none the wiser, accepting it as something completely different from that of cable/satellite/broadcast.

For these reasons, Williams' concept of television flow is more relevant than ever. As television content and audiences have become diffused and fragmented across a multitude of digital networks, platforms, and devices, the media industry's pursuit of profits has intensified. Audiences now find themselves in the role of the programmer and advertisers are fiercely scrambling to reach viewers' eyeballs through a myriad of methods in this volatile age of digital disruption. No longer is flow simply tied to the linear programming lineups of Williams' time. Flow can now be observed as a strategy for subscription video on-demand (SVOD) services such as Netflix, Hulu, and Amazon, video sharing platforms like YouTube and Vimeo, and social media platforms such as Twitter, Facebook, and Snapchat. The digital age has ushered in a second golden age of television content, also known as peak TV, with 495 new and returning scripted series available across a myriad of platforms and channels (Friedman, 2019a).

The increased availability of media content places a renewed emphasis on the theory of flow, from both industry executives and critical scholars. New and competitive opportunities for content providers to reach audiences mean new marketing strategies. These strategies often leverage digital and interactive technologies that make large demands of the audience, often times unbeknownst to them, simultaneously capturing their private data and creative labor, manipulating their decision-making, and obscuring information.

Online media have blurred the demarcations that have traditionally existed between different types of media, including films, video, and broadcast/cable network content. For this reason, Internet-distributed media content should not necessarily be seen as an entirely separate entity from television. Christian (2012), in his examination

of early web video, makes the observation that digital platforms effectively adopted television business practices (p. 342). Through his research, he demonstrates that many early web videos were financially backed by Hollywood industry players (p. 348). This was most likely done as a protective measure because online video was seen as a threat to linear television business interests. It is no surprise then, that Michael Wolff (2015), in his book *Television is the New Television*, declares that the Internet is not disrupting television, but rather television is disrupting the Internet. Television industry players have been involved in online video from the beginning. Tay and Turner (2008) reinforce this notion by claiming that television is no longer a stand-alone device because online media is recontextualizing it (p. 74).

Television's recontextualization beyond a static program feed and device to malleable digital spaces and mobile devices is what Lotz (2007) deems the post-network era of television (p. 15). However, this does not mean that the television broadcast networks are ceasing to exist. The big broadcast networks CBS, ABC, Fox, and NBC are all still thriving. In the fall of 2018, the top 10 national broadcast network primetime fare was averaging a value of over $300,000 per commercial spot (Poggi, 2018). However, with 81 percent of all Americans owning a smartphone (Pew Research Center, 2019) and digital ad spending trending upward, it is understandable why television content is expanding to digital platforms: more opportunities for exposure, audience engagement, self-preservation, and strategies to steer eyeballs back to the fixed screen in Americans' living rooms. The co-existence of multiple content distribution methods is indicative of a compounding linear trajectory of growth for television that began with over-the-air broadcasting and has grown to include cable, satellite, and now, online connectivity

(wired and wireless). In certain cases, the same video content is being spread throughout all of these distribution methods simultaneously. Even as television content has migrated to online platforms, it remains clear that media companies are not yet ready to abandon traditional linear programming, but rather leverage online platforms strategically to reinforce it. After all, linear programming ad revenue continues to steadily increase annually and its flow model remains highly coveted by Madison Avenue (Steinberg, 2019).

For these reasons, researchers have largely debunked the myths of television dying by expanding the concept of the medium (Tay & Turner, 2008; Lotz, 2009; Katz, 2009; Proulx & Shepatin, 2012). Lotz (2009) argues that society has a misconception about television being historically limited to fixed points of linear programming, when in actuality television today should be defined by its "extradomestic circulation," due in part to online video and mobile screens (p. 57). Ando (2014) coins this expansion as "TV's diffusion" (p. 160), but while distribution plays a large role in the development and availability of content flows, singling it out as television's defining factor is again too reductive and technologically deterministic. Solely considering the means of distribution, we would have to assume that all online video content would qualify as television content, which is too broad. So while distribution can play a role in shaping the structure of flow, the blindspot for Lotz and others is recognizing television's cultural form as its defining factor that transcends technological boundaries.

During my time as a sports producer in Philadelphia in the early 2000s, I was taught by my superiors to strike a successful balance between program content and promotional/commercial material during a television broadcast. The primary job of

television broadcasters is to serve their advertisers/investors (the audience is generally considered secondary, which never sat well with me) and produce content that brings in more money than it costs to produce (or at the very least break even). Promotional time belongs to the station/network and is designed to entice viewing loyalty by persuading audiences to watch additional content in that space. Commercial time is purchased by advertisers in advance of the program being made and is based on estimated audience sizes or per thousand views (cost per mille (CPM)). Today, it is hard not to notice that any boundaries that may have kept these components separate in the past have dissipated. Promos and commercial sponsorships frequently run during program content, even as the traditional commercial break still occurs. With a majority of screen time seemingly being sold and utilized, there is pressure on the broadcaster to be accountable for the audience size promised. If the audience delivered is less than what was estimated, the broadcaster must give the advertiser a make-good, which is a future advertising spot or sponsorship for another program. If the audience rating is higher than promised, then the broadcaster takes the loss for selling a spot below its market value. So it is in the broadcaster's interest to try for the highest possible audience (even in the case of targeting a niche group) and then ensuring that they deliver on that audience to maximize gains. This gives pause to just how far broadcasters may go to get an audience to pay attention to and consume content. Because audiences are at the center of this transaction, this research project is interested in understanding how media companies construct, strategize, and measure flows and what regulations exist or protections are needed for audiences engaged in flow. Given how ubiquitous televisual content has become, it is my hope that

this research at the very least serves as a starting point for teaching audiences how to think about flow by providing them with a foundational level of media literacy.

In the grand scheme of televisual flow, the advertiser is king, audience attention is a valuable commodity, and the measurement industry helps broadcasters transform that commodity into advertising dollars to establish the value of content. Therefore, the key to my producer responsibilities was to maintain an audience through a flow of content, station/network promos, and most importantly, advertisers' commercials for as long as possible. If a segment could be sponsored or a station promo tied into the content, we did it. It was not until I discovered Williams' writings that I realized televisual flow in the United States was defined by the industry's strategic sequencing of content in order to sell audiences' attention to advertisers.

While seemingly simplistic in my time as a professional in the early 21st century, the strategic sequencing of content has now become quite complex. Premium cable networks such as HBO and SVOD platforms such as Netflix have expanded Williams' concept of flow by relying heavily upon viewer subscription fees and re-imagining the commercial break with less-apparent forms of advertising. Nevertheless, the core tenets of Williams' original concept remain intact. For example, Netflix, which is heralded by audiences as a commercial-free content provider, has cozied up to advertisers through paid product integration in some of its original series (Peterson, 2015; Castillo, 2019). Furthermore, commercial banners and online ads synchronized with program content are likely to be seen in second screen applications (Lowrey, 2014). Even in the case of public broadcasting (which does not air commercial interruptions), underwriting in the

form of title slates or video content featuring private corporations are commonly seen prior to and at the close of programs.

There seems to be no greater time than the present to question how these resulting strategies for flow are impacting the audience-industry power dynamic. There is a sense that the audience is now in control because of the agency afforded by on-demand libraries that allow viewers to select what they want to watch, when they want to watch it. Additionally, content seems to be everywhere, allowing audiences to watch anything they desire on any device of their choosing. Some subscription services, such as Netflix, market themselves as ad-free, catering to audiences that are tired of commercials interruptions. However, beneath the surface of all this lies questions as to what is really happening. What ideologies are at work within media platform structures to manage audience activity and influence their decision-making? Who are the people working behind the scenes and how are their decisions affected by the industry ecosystem? What effect is this having on traditional audience measurement techniques and audience representation? Whose interests is the government serving when it comes to establishing the rules and regulations concerning televisual flows? What are the political and economic power dynamics between content providers and government agencies within this environment?

Therefore, an intervention of sorts seems warranted. By implementing a top-down approach to examining the institutional structures that currently govern American television, I hope to lay bare the problematic issues internalized by a for-profit industry that may very well be blindspots for audiences. I will then use these as a springboard to propose a bottom-up alternative to evoke change. It is my hope that addressing these

questions will arm television viewers and users with the literacy skills to become better informed and therefore, more apt to make intelligent choices in their television consumption. My goal is not to teach viewers what to think, but rather how to think about their television consumption habits and conceptualize a television system outside of the industrial complex.

In the first chapter, I will lay out the contemporary landscape of televisual flow, discussing the historical industry-audience dynamic surrounding it and the different ways this topic has been approached by scholars. I will also explain why I believe the linear/non-linear binary is an inaccurate representation of flow and will offer new ways to categorize the term.

Chapter two is dedicated to discussing this research's methodological approach, offering a textual analysis of trade journals, in-depth qualitative interviews with industry players, and the components to examining televisual flow from a political economy of media framework.

In chapter three, I focus exclusively on the management strategies of flow and discuss the five themes that emerged from data collection analysis: *marketing, content delivery, UX design, engagement*, and the *separation of labor* within the industry. Flow management primarily focuses on the strategies at play by the industrial complex and the impact these have on the viewing experience.

The fourth chapter focuses on the measurement of flow and how the audience's attention transforms into a material object for sale. Building on the work of Dallas Smythe (2014) and attention economists, I will discuss the ramifications of digital

surveillance, intrusive biometric measurement techniques, and a measurement industry that is currently in a state of chaos.

Chapter five explores the regulatory side of flow. It is here that I aim to provide an industry perspective on how government regulations are received, what potential impacts exist for both, the industry and audience, and what needs to be done when it comes to serving audiences' best interests.

In the final chapter, I offer insight into the future of televisual flow as well as suggestions as to what can be done to better level the playing field for the audience, including possible tactics to offset the industry's attempt at exploitation.

Raymond Williams (1975) believed it was necessary to "go beyond the static concept of 'distribution' to the mobile concept of 'flow'" (p. 78). The strategies that are employed by the industry to maintain and attract audiences, while generating revenue, is the central defining characteristic of American television. The media system's resulting cultural form, according to Magder (2009), triangulates between the wants and needs of viewers and advertisers (p. 146), or more generally put, content funding. Although distribution can certainly dictate a content flow's design and structure, there is plenty of room within that space to be culturally unique in organizing the viewing experience. Williams (1975) writes:

> In all developed broadcasting systems the characteristic organization, and therefore the characteristic experience, is one of sequence or flow. This phenomenon, of planned flow, is then perhaps the defining characteristic of broadcasting, simultaneously as a technology and as a cultural form. (p. 86)

While Williams was interested in analyzing the programming strategies leveraged by the industry, he was equally concerned in the resulting audience experience of viewing a sequence of different programs, referred to as items and units.

> …For though the items may be various the television experience has in some important way unified them. To break this experience back into units, and to write about the units for which there are readily available procedures, is understandable but often misleading, even when we defend it by the gesture that we are discriminating and experienced viewers and don't just sit there hour after hour goggling at the box. (1975, p. 95)

Williams found great importance in studying the entire experience of watching a sequence of different programmed elements. Flow is not haphazardly created, but rather carefully designed and curated to maximize audience activity and problematized by a commercialized system's emphasis on driving profits. With today's rapidly changing digital landscape, the viewing experience of flow has become deep and complex with significant implications for audiences.

Chapter 1

What is Flow?

At the time of Williams' writing in 1974, American television primarily consisted of three national networks and a handful of local broadcast stations in each market (the number varying depending on where one resided). Each station and network had its own linear program schedule comprising a sequence of different types of units (sitcoms, news, dramas, movies, sports, etc.) and a viewer was pretty limited in their content discovery options. Viewers could consult a newspaper, *TV Guide,* or an acquaintance to learn what specific units were airing on a particular day or time, or they could simply flip through the channels they received and see what was airing at that particular moment. Competition amongst stations and networks forced programmers to get creative with different strategies in constructing these linear lineups to attract and maintain audiences, with the primary goal being to accumulate the most eyeballs for the longest period of time to maximize ad revenue. Even as technology has evolved and changed the ways in which viewers discover content, the strategies for attracting and controlling audiences have remained firmly embedded within the television ecosystem.

Lotz (2017) points out that the dynamics of flow are dependent upon the characteristics of the technology on which programmers rely. In the case of over-the-air broadcasting, only a single program can be distributed via a one-way channel signal to viewers (p. 2). Essentially, it is a one-size-fits-all approach where every viewer watching a particular channel will see the same program flow simultaneously. Whereas an antenna is required to receive over-the-air programming, set top boxes are deployed by cable and

satellite providers, otherwise known as multichannel video programming distributors (MVPDs). These boxes are either connected to cables that run underground from the consumer's home to their cable company distribution center or to a satellite dish connected to their house that receives content from a satellite MVPD's point of contact in outer space. Either way, these distribution methods require proprietary equipment and a subscription to receive service (as opposed to a television broadcast antenna that receives the over-the-air signal at no additional cost to the viewer) and are capable of delivering broadcast and cable network programming to households. MVPD viewing options typically consist of various tiers of channel bundles containing universally pre-programmed linear content flows that are accessible via a set top box programming grid and are sometimes accompanied by a supplemental video on-demand menu from which viewers can choose a program they wish to watch at any time. However, viewers have little to no control over the channel selections available in each bundle.

The concept of video on-demand (VOD) has existed for decades as MVPDs first began experimenting with it through their set top boxes in the 20th century (Carey, 1996; Carey, 1997), but it was not until the 2000s that it gained widespread adoption. Technology has continued to mature to the point where VOD platforms are now capable of personalizing content flows by leveraging user data they collect to drive recommendation algorithms in order to dynamically serve up content. This has been a key factor in how content flows are shaped within the over-the-top (OTT) ecosystem that represents video delivery services that bypass (or go over the top of) MVPD set top boxes. Relying on an Internet connection for distribution, the OTT market includes subscriptions to services similar to those of cable, but less restrictive. Over-the-top

SVOD services are standalone content libraries that viewers can access on a variety of Internet-connected devices through any Internet service provider.[2] Additionally, VMPVDs offer bundles of universally pre-programmed channels of linear content flows similar to those of MVPDs, but solely through an Internet connection. Thus, the OTT environment has posed a challenge for MVPDs because in addition to their core business of selling TV subscriptions, MVPDs also provide Internet service, which is being used by SVODs and VMPVDs as a conduit to serve streaming content to consumers. As a result, MVPDs' TV subscription service is being cannibalized as cord-cutters and cord-nevers are bypassing traditional MVPD TV bundles for the more flexible and often cheaper OTT content options. MVPDs have responded by attempting to have their cake and eat it too. Many have elected to play in the over-the-top (OTT) space by offering their own standalone SVODs that come with perks if you subscribe to their cable TV bundles and by including SVOD competitors, such as Netflix, through their set top box program grids in an attempt to centralize services and merge OTT options with set top boxes. Ultimately their goal is to keep consumers paying for their universally pre-programmed linear channel bundles even if subscribers aren't interested in watching them. MVPDs know that consumers need their Internet service a lot more than their TV bundle, but want to keep both businesses viable.

While broadcast, cable, and satellite distribution were the primary means of receiving televisual flows in the 20th century, Internet distribution has emerged as the great disruptor in the last decade by affording content providers the ability to distribute

[2] Cable MVPDs that offer linear channels and VOD services through the Internet typically do so with a caveat: subscribers must purchase the traditional set top box or cable card and then authenticate that subscription on the wireless device they want to utilize. In some cases, MVPDs require authentication to occur exclusively through their Internet service package, forcing even further restrictions upon customers.

program flows internationally as well as adapt an interactive, individually customizable curation of on-demand content. Suddenly content flows are no longer universal, nor tethered to delivery via a set top box or specific broadcast area. Just as the explosion of cable channels in the 1990s gave broadcasters fits over audience fragmentation, the Internet is causing a similar version of it for the cable industry. Programming traditions are also being shattered. Digital content produced for OTT libraries is free from the 30- or 60-minute time constraints of network television, so that a program can last for any desired duration. Furthermore, the length of seasons need not adhere to the typical 24-episode order and are now free to be more like mini-series, lasting any number of episodes. Finally, content within the OTT space may not require commercial breaks or the restrictions writers face when having to write content designed to fit within a strategic timeframe in order to accommodate ad interruptions.

These dramatic changes to the landscape of televisual flow in the 21st century are deserving of an in-depth examination to gain a clearer understanding of the power dynamic between the industry and audience.

Content Flows

In his textual analysis of television programming, Williams (1975) observed the flow of content to occur on two levels. While Williams did not provide specific labels for these two levels, I think it is important to do so in order better organize the degrees in which televisual flow can occur. In what I will refer to as the micro-level, Williams saw a programmatic flow, where viewers tune in specifically to a single program unit and witness a sequence of words and images (p. 89). Screenwriters compose stories and scripts to the logics of the intended flow, such as writing cliffhangers prior to commercial

breaks or limiting content to a specific time duration as a way to attract and maintain viewers for the duration of a program. Topics for producers concerning micro-level flows may include elements such as a theme song, cold open, closing/opening credits, whether or not to include audience reactions, the number or length of program blocks, etc. In other words, any element or decision connected to the production of a particular program or event can be considered part of its micro-level flow because it ultimately plays a role in shaping the viewing experience of how that particular unit communicates a message. A strategy that I have observed within micro-level flows is that program blocks tend to get shorter while commercial breaks get longer as the show progresses. The assumption here is that as viewers invest their time into watching a show, the network can increase the commercial load without greatly risking the loss of viewers. The strategy is explicitly designed to take advantage of the audience because the network knows most viewers will wait around to learn the conclusion of their program. Although individual commercials are not necessarily part of a program's micro-level flow, they contain their own micro-level flow as creators want to ensure that their message is communicated as effectively as possible. As I will later discuss, micro-level program flows are also susceptible to strategies incorporating advertisements as well as leveraging audience interactivity through user-generated content.[3] Examples include programs that integrate sponsored products directly into the show, sports broadcasts that display viewers' tweets, or a comedy program that appropriates viewers' personal videos from

[3] This is not an entirely new concept as 20th century programs such as *You Asked for It* (1950-1959) and *America's Funniest Home Videos* (1990-present) were founded upon audience submissions and contributions. Although programmers and audiences today have more options for determining the shape, form, and distribution method of those submissions, the concept has largely remained the same.

YouTube. These activities embed the audience directly inside the production process of micro-level flows.

At the opposite end of the spectrum, Williams provided a more holistic perspective of how all of the different or various individual micro-level flow units are arranged in what I refer to as macro-level flow. Here, viewers gain a total experience of watching multiple unique programming units in a linear sequence, such as program content mixed with commercial messages and promotions. It is this macro-level flow that Williams qualifies as the act of "watching television" (p. 89) and found its significance in the industry's attempt to use it for leverage within the power dynamic between programmers and audiences.

> What is being offered is not, in older terms, a programme of discrete units with particular insertions, but a *planned flow*, in which the true series is not the published sequence of programme items but this sequence transformed by the inclusion of another kind of sequence, so that these sequences together compose the real flow, the real 'broadcasting.' (p. 90, emphasis added)

Macro-level flows are strategically designed to weave audiences through different units of content, attempting to first attract their attention and then maintain it for as long as possible. A hypothetical macro-level flow could involve a viewer consuming the first half of a sitcom, followed by a toothpaste commercial, then a promotion for a different show on the channel, before being returned to the second half of the sitcom. At the conclusion of that sitcom, a drama immediately begins to play in an attempt to seamlessly lead the viewer into investing more time on the channel. All of these individual units (program content, commercials, and promotions) qualify as micro-level flows in their own right because their goal is to entice the audience to consume the entirety of it. The sequencing

of these units is considered the macro-level flow and involves an additional layer of strategy for maintaining audience attention.

Micro- and macro-level flows work together strategically to persuade audiences not to abandon content for a couple of purposes. First, audience attention is a zero-sum game. If one media company has the attention of a viewer, then it means that their competition loses it. Second, the attention of viewers can be monetized through both, subscriptions and advertising subsidies. Thus, the longer audiences remain within a flow, the greater potential there is for money to be made by the media company. Flow has become extremely complex in the age of digital disruption where audiences appear to be working harder and producing data at rates greater than ever before. The benefits that come with the outcomes of these behaviors seem to favor professional interests far more than those of the audience. For these reasons, flow is worthy of critical analysis.

Before I begin describing macro-level flows in greater detail, I need to pause for a moment and point out what I see as a common mischaracterization. The commonly used binary of *linear* versus *non-linear* when categorizing macro-level flows seems inaccurate because by definition the term *flow* requires some form of linearity. *Linear* typically describes the sequential programming line-up that a network programs universally for all viewers, while *non-linear* is typically reserved for SVOD and VOD content libraries. However, as this research will show, the programming strategies that have long been utilized by linear flows are now being used in non-linear spaces. Furthermore, programmers and user experience (UX) designers are trying to convert non-linear to more of a linear viewing experience because media companies need to keep and maintain

viewers for as long as possible. Therefore, in an attempt to more accurately distinguish between these two macro-level content flows, new terminology is warranted.

The term *universally planned flow* (UPF) seems like a better fit to describe one-size-fits-all sequential programming feeds developed by industry programmers. The content within the flow is *universal* to every viewer and it is *planned* in advance by an industry programmer. Alternatively, *personalized planned flow* (PPF) represents the interactive and customized content delivery that is often associated with SVOD and VOD platforms, but can also be an industry-programmed linear flow that includes some level of personalization, such as addressable advertising. These platforms are typically capable of leveraging recommendation algorithms to customize to individual tastes (*personalized*), while also serving the industry's interest by using programming strategies and automation to keep viewers engaged for as long as possible (*planned*). Williams' notion of a planned flow is applicable to both forms of macro-level flows, with the exception being how they are initiated. The linear/non-linear binary fails to account for this and is unable to encapsulate instances of hybrid macro-level flows.

In the following sections, I explore the different types of televisual flow and how each one impacts the role of the audience.

Universally planned flows.

Traditional broadcast, cable, and satellite network programmers have long relied on developing a linear sequence of micro-level units of flow across a 24-hour day that gets delivered via antenna, cable, or satellite to viewers' screens. If tuned to the same network or channel, every viewer of the same locale will see the same sequence; in other words, the feed is universal. Because a majority of these rely on subsidies from

advertisers, it behooves the programmers to persuade the audience to remain attentive on the flow for as long as possible. Therefore, numerous strategies have been developed to transform UPF into a manipulative tool for maintaining control over audience activity, as illustrated in Table 1.1. One of the most adopted examples in the industry is inheritance events, or lead-ins, which strategizes to carry over an audience from one program to another (Webster, 2006; Goodhardt, Ehrenberg, & Collins, 1975; Eastman & Ferguson, 2009).

Table 1.1 Programming Strategies for Managing Flow

Strategy	Description
Inheritance Event or Lead-In	Scheduling a successful program immediately prior to a weaker or unknown program to maintain audience attention.
Hammocking or Sandwiching	Scheduling a weakly rated or unknown program between two successful ones within a program block in hopes that audience attention will maintain through the weaker program to the next successful program.
Blocking or Stacking	Establishing a block of same-type genre programming such as all sitcoms, all dramas, all news, etc.
Doubling	Scheduling back-to-back episodes of the same program

Linchpinning or Tentpoling	Scheduling a successful program in between two unsuccessful or freshman programs in hopes that audiences will tune in early or remain afterward and latch onto the other programs.
Bridging	Bridging includes three variations: (a) Beginning a long-running program, generally lasting 90 minutes or more, shortly before the competition's programming block. (b) Starting and ending programs at times different from the competition. (Also known as off-the-clock scheduling). (c) Scheduling programs with shorter durations against a competition's longer form programming.
Supersizing	Extending the usual duration of a successful program to transform it into a special. This could also result in off-the-clock programming to deter audiences from switching channels.
Seamlessness	Eliminating breaks or interruptions between programs to prevent the audience from switching content.

Note. Adapted from *Media Programming: Strategies & Practices*, by S.T. Eastman and D.A. Ferguson, 2009, pp. 130-4.

The NBC sitcom *Veronica's Close*t is an exemplar for how these UPF strategies can successfully exert control over audiences. During the 1997-98 television season, NBC used the hammocking technique to schedule *Veronica's Closet*, a newly created sitcom, between *Seinfeld* and *ER*, the number-one and number-two rated broadcast programs respectively in the Nielsen ratings (Brooks & Marsh, 2007). The ratings were strong enough for the freshman sitcom to finish as the third highest rated broadcast program for that season (Brooks & Marsh, 2007, p. 1695). The following season, *Veronica's Closet* was again sandwiched between two of the highest rated shows, this time number-three rated *Frasier* and number-one rated *ER* (Brooks & Marsh, 2007). The technique of hammocking once again helped *Veronica's Closet* to a top-five finish in the ratings (Brooks & Marsh, 2007, p. 1695). However, beginning in the 1999-2000 season, the network shifted the junior comedy to a different night and placed it between the struggling sitcom *Suddenly Susan* and the 30th-ranked *Law & Order: Special Victim's Unit* (Brooks & Marsh, 2007), perhaps in an attempt to tentpole the two surrounding programs. That autumn, the *New York Times* labeled *Veronica's Closet* as a show "that viewers seem to be aggressively avoiding" (New York Times, 1999, E7) and after four weeks into the new season, the program found itself mired in 76th place in the Nielsen Ratings (Huff, 1999, para. 1). Not only did it finish far outside of the top thirty ratings in 1999-2000, but NBC cancelled it in May 2000 (Carter, 2000, E8). While a variety of factors need to be considered for contributing to a show's demise (writing, casting changes, story arcs, etc.), it is difficult not to focus on the changes NBC made to its UPF in 1999 as the primary contributor to the quick and sudden downfall of *Veronica's*

Closet. It is quite plausible that the program's ratings presented a false narrative during its first two seasons on the air when we closely examine NBC's UPF. It can be argued that said flow resulted in audience inertia due to a large percentage of viewers not changing the channel after *Seinfeld* or *Frasier* in order to stick around for the popular *ER* a mere thirty minutes later. Therefore, the program enjoyed top-five status in the ratings despite little audience loyalty. The benefit to NBC was the network's ability to establish advertising rates reflective of a top-five primetime network show. Today, it is difficult to find any trace of *Veronica's Closet* airing in syndication or available in on-demand formats. Even as SVOD content providers and digital linear broadcast sub-channels have created platforms for hosting legacy content, episodes of *Veronica's Closet* are nearly non-existent (at least no instances that I can locate at the time of this writing), while the aforementioned NBC programs are all still widely available.

Personalized planned flows.

Personalized planned flows (PPF) allow audience members more interactive control over content choices than UPFs. Curated media content libraries represent a seismic shift from how television media content is distributed. Now audiences can play the role of programmer and select from a catalog of what they want to watch, when they want to watch it. They need not worry about jumping into a middle of a show as is the case with UPFs, but rather initiate a flow from the beginning of a program. While this novel approach has afforded screenwriters greater flexibility in developing micro-level flows[4], it has completely changed the way content providers and audiences approach

[4] On some SVOD platforms, screenwriters no longer have to worry about writing around commercial breaks, being constrained to a specific duration of time for each episode, or having to produce a certain number of episodes per season.

macro-level flows. Lotz (2017) deems traditional UPF scheduling and VOD curation as fundamentally different practices (p. 8), which result in vastly different audience experiences. This is why Williams (1975) emphasizes the significance of flow for defining the "television experience" (p. 86). Flow is the common denominator between these two practices and is culturally what defines them as watching television. When changes are made to a flow's composition, the experience for both, industry production and audience consumption, changes. For one, the viewing experience with PPFs differs from that of UPFs because a user can typically select a particular piece of media content and play it from the beginning on their own time (rather than abiding by an industry-programmed schedule). When that show is finished, there are a number of possibilities as to what may occur next. As an example, options could include the screen returning to a main menu, the next program in the user's queue auto-playing, a recommendation for similar content, or the next episode of the series automatically loading. These possibilities are strategically designed to keep the viewer engaged and represent the *planned* as well as the *personalized* aspect of PPFs.

With PPFs, the practice of watching/accessing content is capable of being unique to each individual viewer – from how they select content to watch, to how content is curated. It is similar to the ways in which people collected VHS tapes or compiled DVD libraries in the 20th and early 21st centuries to watch content on-demand; however, now the physical aspect of owning the media has been replaced by a streamlined OTT experience that makes content available on practically any device and can keep viewers engaged in a customized planned flow via recommendation systems that rely on algorithms and artificial intelligence.

Recommendation systems are known for their ability to serve viewers content that satisfies their individual wants and needs while aiding media companies in maximizing stickiness. The artificial intelligence (AI) of these systems works to predict the preferences of viewers, which involves learning their patterns of behavior through their use of the platform and analyzing the content they consume (Lepke, 2019). This is why OTT portals suggest users create individual profiles and provide demographic details about themselves; the portals want to ensure that their system gleans as much data about their individual users as possible. Armed with these data, portals can use AI to make recommendations based upon user behavior patterns, demographics, or trending topics (Tufekci, 2019); however, this can be more harmful to the viewer than helpful. Even when the system appears to serve tailored content, the question of privacy arises because the data collected are being used to make inferences about the user's beliefs, interests, values, and philosophies – characteristics that could be made visible to others without proper security measures. Additionally, researchers have found recommendation systems may push users toward polarizing conspiratorial content (Diresta, 2018), deliver content based on the viewing patterns of mass audiences (under the guise of personalized experience) (Blattman, 2018), or recommend media that best serves a platform's interests, rather than its users (Napoli, 2016). All of these instances are less about personalizing content for the viewer and more about prolonging audience flow via stickiness, extending viewing time, and ultimately, driving profits. Parks (2004) refers to this as "programming of the self" and states that recommendation systems have "less to do with the viewer's personhood and more to do with new industrial structures of individuation geared toward profit making" (p. 135).

Prior to OTT portals, MVPDs offered VOD services through their set top boxes, although technological limits kept the user experience rudimentary and curation primarily universal (Carey, 1996; Carey, 1997). However, the concept of personalized flow was still very much present in the ways each user could initiate any number of episodes from the content library at their choosing. Once technological enhancements made video delivery over the Internet feasible and more audience data could be leveraged, SVOD services such as Netflix and Hulu began offering access to content that utilized AI recommendation algorithms to enhance personalization capabilities. Lotz (2017) refers to these more dynamic, stand-alone SVOD platforms as "portals" and defines them based on their use of an Internet connection for distributing a library of content (p. 8). Lobato (2017) refers to the curation of said content as a "catalog" (p. 2) and it is important to understand how different users' catalogs are constructed because of the very individualized nature of PPFs across portals. This does not mean that PPFs are limited to on-demand content libraries. Alternatively, macro-level flows that contain addressable advertising or customized content transform UPFs into PPFs because of the uniqueness of the content to the viewer.

As a result of this new interactive landscape, the role of the audience has undergone dramatic changes. Unlike channel surfing in the realm of broadcast UPF, PPF portals generally require a software application to be installed on users' devices, which is accompanied by lengthy privacy policies and terms of use contracts. Additionally, once the user enters the portal, there may be opportunities to customize it with a profile, bookmark favorites, create queues, and make social connections. Petersen (2008) found

that the longer a person utilizes a social media platform, the more likely it is that they will stay because of the time invested (as opposed to migrating elsewhere) (p. 5).

Strategies being deployed for controlling audiences through PPFs involve a closer look at UX design. McKelvey and Hunt (2019) examine the industrial power dynamic behind the discoverability of content in PPFs and the ways in which portals "coordinate users, content creators, and software to make content more or less engaging" (p.1). The authors point to the strategic ways in which UX designers leverage a platform's interactive layout (called *surrounds*) and the choices it presents users to discover content (called *vectors*) (McKelvey and Hunt, 2019). Interestingly, they find that the power in design is not held by one person, but through a collaboration. "The people who work on discoverability are not exclusively powerful members of a corporate cabal; they are also marginal employees working in a cubicle somewhere" (p. 7). However, as chapter three will discuss, collaboration can lead to a separation of labor, which may prevent workers from understanding the full impact of their craft.

Interactive televisual flow.

Since its inception, both micro and macro-level flows have yearned to be interactive as a way to get audiences more deeply involved and invested in content, while simultaneously making viewing activity more visible for tracking, collecting data, analyzing behavior, and marketing products. Interactive televisual flows have taken on many shapes and forms over the years (Carey, 1996). Jensen (2008) defines it vaguely as a merger between conventional television and interactive technologies in the form of "choices, decisions, and communicative input" by the viewer (p. 2). Hartwick (1997) adds that the audience must become an integral part of the content (p. 218) as a way to

"connect people with common interests who want to communicate" about television (p. 220). Andrejevic (2008) takes Hartwick's definition a step further, adding the critical perspective of audience labor as a way for interactive television (ITV) to allow "viewers to take on the work of finding ways to make a show more interesting" (p. 28).

One of the earliest notions of ITV can be traced back to 1930 when, according to the *Bell System Technical Journal*, scientists Herbert Ives, Frank Gray, and M.W. Baldwin developed a two-way television system in a collaborative effort between AT&T and Bell Telephone. The system was referred to as "a complete adjunct to a two-way telephone conversation" and featured an enclosed booth where a person could pay a fee to see and speak with another person in a remote location (p. 448). The audio signals were carried over telephone wires and the images were transmitted via television broadcast. Although the report emphasized keeping the apparatus simple for users (p. 458), the technology was extremely cost prohibitive and too complex for public use (pp. 468-9). More than 20 years later, the CBS children's television program, *Winky Dink and You*, presented viewers with a basic notion of content interaction (Carey, 1996, p. 4). Audiences could purchase a kit that contained crayons and a clear plastic sheet that they would place over their television screens. During the program, the show would invite the participation of its young viewers to draw images on the plastic cover using the crayons as a way to help the show's characters solve problems. While very simplistic, it allowed viewers to seemingly interact with television content.

By the 1970s and into the 80s, inventions such as Warner-Amex's Qube system, Time, Inc.'s Teletext service, and Cox Cable's Indax service featured a much more sophisticated way to get viewers to interact with content offered on their television

screens, but failed to do so, primarily because the technology was not cost-effective or user-friendly (Carey, 1996; Carey, 1997; Jensen, 2008; Lotz, 2009; McGinley, 2009). However, by the late 20th century, the telephone provided the television industry with a more promising solution to making content flows successfully interactive. The use of touchtone telephones for audience polling and responses using toll and toll-free numbers established by AT&T (Carey, 1996; Carey 1997; Jensen, 2008) was an effective way to get viewers to interact with program content. Audiences easily adapted to this, as the telephone was already a common device found inside most homes, and more importantly, it allowed them to still see the television program they were watching when they dialed the phone number to participate. However, the breadth of what programmers could do via telephone interaction was limited and by the mid-1990s, ITV was setting its sights on capturing the Internet.

In 1996 WebTV was launched by offering audiences dialup Internet on the television set (Roettgers, 2013). Microsoft purchased the company in 1997 rebranding it as MSN TV, but the service struggled to gain traction with audiences and was officially shutdown in September 2013 (Roettgers, 2013). In 2000, America Online launched AOLTV as a competitor to MSN TV and featured its popular instant messaging and email services over the television screen (Hu, 2003). However, it, too, failed to catch on due to a lack of consumer interest (Hu, 2003). These failures are what Kim (2001) refers to as being too technocentric (p. 77) because ITV focused so much on making technology its core venture, that it completely ignored the contextual surroundings of the audience culture. In other words, the industry was negligent in asking audiences what they

wanted, instead opting to push content flows that were seen as overly disruptive to television viewing.

By the start of the 21st century, the Internet, telephone, and television were all being involved in the ITV conversation once again and with the innovation of mobile devices, three new trends emerged: enhanced TV, personalized TV, and SMS TV (Jensen, 2008, p. 8). Enhanced TV featured text and graphics embedded into a broadcast signal and superimposed over programming content so the viewer could access it interactively while watching a show. Personalized TV came about through the rise of DVRs, which featured interactive menus, programming guides, on-demand libraries, and allowed viewers to pause live television or time-shift to access content at their convenience. Finally, SMS TV improved upon interactivity via a telephone by allowing short message service (SMS) texts to be sent as a form of feedback to media companies. SMS TV eventually evolved into more cross-media interactions concerning the Internet, TV, and mobile devices.

By the 2010s, Web 2.0 ushered in social media platforms that could easily be leveraged and integrated into television content flows in what became known as the second screen experience (Proulx & Shepatin, 2012). Programmers noticed viewers discussing and sharing television content on mobile applications such as Facebook and Twitter. Learning from ITV's previous blunders, they decided to partner with these platforms to capture the organic activity and scrape data for ratings and audience information. Writing in late 2012, *Broadcasting & Cable's* George Winslow described second screen applications as affording media companies the ability

> to tap into the growing usage of mobile devices in a way that will increase viewership, better promote their networks, boost ad revenue, create new e-

> commerce opportunities and best of all, tightly integrate the traditional TV business into the rapidly growing digital world. (p. 20)

In 2013, Nielsen Media announced a partnership with Twitter (Nielsen, 2013) and in 2016 a deal was struck with Facebook (Nielsen, 2016) to collect and harvest television-related data.

By adopting social media, ITV took more of an evolutionary approach rather than revolutionary one because it captured already existing technologies that the public was using on a daily basis. By adapting mobile technology as the driver behind second screen television, the industry has seemingly continued to evolve ITV under Jensen's (2008) notion of cross media interaction. However, the second screen has made connecting audiences with content more complicated because of the expansion and duplication of media content across numerous platforms. As we will see in chapter four, audience measurement firms presently struggle to precisely track audience activity.

Audience Flows

Because of the customization and interactivity that PPFs provide, in addition to the ways in which UPFs leverage the second screen, interactive flow is the bridge that connects the flow of the audience with the flow of content. Unlike the traditional forms of UPF being relatively uncontrollable by viewers, digital devices and PPFs place considerably higher levels of agency within the hands of the audience.

To demonstrate this point, let's first examine the capabilities of a universally planned flow at the time of Raymond Williams' writing. Imagine the flow of television content as a river and the audience as a boat floating with the water's current. In the case of UPF, the boat has no choice but to flow in the direction of the current. It can dock or exit the river, but when it re-enters, it automatically begins moving in the direction of the

current. Essentially, the boat has no control over the current of the river just as a television audience has no control over the program order of a UPF as they consume it. Despite the Birmingham School's cultural theory of an active audience, the physical television viewing experience of a UPF is quite passive. The only power the audience has is to change the channel, pause, or exit the flow. Therefore, the flow of audience and the flow of universally planned content is redundant, just as it was during Williams' time. Even if the viewer changes channels, he or she would just be entering into another content flow, essentially making a lateral move. Furthermore, the practice of looking at television is relatively the same on every UPF.

Second screen technologies and PPF content choices have provided audiences with the tools to now shape and customize their media content flows. Having a video you created on YouTube or seeing one of your tweets make an appearance in a television program is an example of shaping a micro-level flow. On the other hand, instead of industry programmers deciding what their platform should air at a given time, the viewer can browse a catalog of content and create their own customized program lineup. Alternatively, a UPF may propel viewers to create and share content on social media or vote for a contestant through their phone. These are examples of interactive audience flows that differ greatly from the passive audience flows of Williams' time. Because of digital technologies and mobile devices, both types of macro-level flows, UPFs and PPFs, have the ability to accommodate interactive audience flows.

Interactive audience flow is the television industry's attempt to grant viewers a sense of empowerment, while simultaneously implementing strategies to try and steer viewers to specific content within catalogs and then get them to stay. This is usually

achieved by data tracking, algorithms, psychometrics, and interactive programming initiatives to maximize economic value. Just as with UPFs, PPFs also aim to control audience flow in order to produce predictable behavior for portals, networks, and advertisers. The audience just may not always be aware of the strategies and manipulations taking place because their agency seems so much greater than that granted by the more traditionally passive UPFs.

The belief in the industry is that the more a viewer is engaged, the better the chance for content curators to exert control over that viewer to not only create brand loyalty, but to also extract a demographic and psychographic profile that can be sold for targeted advertising purposes. Thus, interactivity has become the key ingredient television programmers and marketers have yearned for to integrate audiences within micro and macro-level flows. In some cases, the audience can be seen as a strategy or tool manipulated by programmers to strategically enhance a certain content flow by getting viewers to do what they want them to do. Embedded inside content flows are overt and more concealed strategies to manipulate viewing behavior. Digital tools such as mobile applications and social media can be leveraged through content flows to get viewers to spread (market), participate in, and even initiate additional content flows, as well as strategically manipulate and steer audiences to and through various platforms. After decades of failed *push media* attempts, ITV seems to have found a successful *pull media* formula for engaging viewers.

Televisual audience flow has been in existence since the birth of television – it just historically has been more difficult to track. The key strategy has traditionally been to get the audience to think about a platform or program content outside of watching said

content. Some of the original forms of initiating audience flow included print advertisements that featured television program listings, radio spots promoting primetime TV shows, and highway billboards boasting local television news teams. Promotions such as these have long been an entry point for audiences to access content flows and many are still in practice today.

Social media platforms such as Facebook and Twitter have afforded more direct and powerful marketing possibilities, mainly due to their ease and frequency of accessibility as well as their trackable nature. Family members, friends, celebrities, and trending hashtags can provide for a two-way conversation that essentially promotes program content at any given time. This interactivity produces rich data sets about audiences that had previously been unattainable with the older forms of analog media promotion. The personal data and trackable behavior that audiences produce when they engage with television programs through social media are packaged and sold to advertisers by the content providers for a profit. The digital media environment has allowed macro-level content flows to become malleable and, in the style of wikinomics (Tappscott & Williams, 2006), the television industry is relinquishing a certain level of control over its content to see what audiences can do to help increase its value. Thus, as audience flows become more interactive, and perhaps the appearance of being more agentic, with it comes the added implication of surveillance and subsequent capture of viewers' labor and subjectivities by the television industry.

Commercial imperatives & implications for capturing flows.

Getting audiences to interact with television content is referred to as prosumption, a term coined by Tappscott and Williams (2006) to reflect the merging of production and

consumption practices. In television, prosumption describes the production of media content (text, video, audio, etc.) by the viewer that can then be easily spread and consumed by others online or captured by the industry and incorporated into micro- and macro-level content flows. Platforms such as YouTube and Vimeo allow for anyone with access to computer technology to create, upload, view, comment, rate, share, and interact with video content. Claiming to have over one billion active users, YouTube boasts that it comprises one-third of all Internet traffic (YouTube, 2019). This has led to content providers, such as the NFL Network, ABC, and TBS (just to name a few), to establish YouTube channels as a competitive strategy for interacting with audiences and potentially attracting, maintaining, steering, and commercially monetizing audience flows. Here, audience members can serve as sources of free marketing, by embedding the network content into their Facebook profiles, Twitter feeds, and other social media platforms so followers and friends can view it, like it, and redistribute it. They can also have discussions with and leave feedback for the networks. Ross (2008) coins this "teleparticipation," as a way to depict the industry's means of attempting to capitalize upon the production and consumption efforts of the audience (p. 75). While marketed as an enhancement to traditional television viewing, the power and capital structure behind the scenes of prosumption is cause for concern – primarily because it is commodifying audiences through surveillance, free labor, creative appropriation, and personal data collection.

Prosumption has led to a resurgence in the audience commodity debate initiated by Dallas Smythe (2014) in the late 1970s. An economist concerned with how communication processes create value, he coined the term *audience commodity* in the age

of universally planned flows to illustrate how television viewers show up for the "free lunch" of consuming content while their labor power is simultaneously extracted by the media and transformed into exchange value sold to advertisers. As a historical materialist, Smythe believed technology and its productive forces are the primary influence on the organization of the economy and society, and therefore the business structure of media should be given preference. Several years later, Jhally and Livant (1986) reworked Smythe's audience commodity by resituating the role of the audience from working for advertisers, as Smythe had believed, to that of media companies (p. 135). They argued the audience sells their watching labor power to media companies in exchange for programming (p. 135). *Necessary watching time* designates the labor power necessary to offset the cost of content, while *surplus watching time* is anytime spent watching thereafter, which is profit-making for media companies but not to audiences (p. 127; emphasis added). This is why media companies strategize to keep audiences engrossed in content flows for as long as possible.

Thus, Smythe, along with other scholars, have concluded that watching television is a form of productive labor (Jhally & Livant, 1986; Shimpach, 2005, Andrejevic, 2011; Fuchs, 2011). Because Marx (1887) argues that human labor, rather than technology, is the basis for production (p. 135), watching television could be considered a form of unpaid (and subsequently exploited) labor. However, Hesmondhalgh (2010) argues that the Marxist notion of labor is forced, which he does not believe to be the case with watching television or even participating online (p. 273). Andrejevic (2011) responds by arguing that force, or coercion, is disguised as free choice in the ideology of governmentality (p. 283). In other words, the strategies that programmers implement for

flow are like an invisible hand guiding audiences through the experience of television. Viewers may feel as though their decision-making is free and agentic, but there may be manipulative factors present that could very well be influencing their behavior. There is also the notion that audiences are not completely aware of their exploitation and put a sort of blind faith in the goodness of companies. boyd and Crawford (2012) state that "users are not necessarily aware of all the multiple uses, profits, and other gains that come from information they have posted" (p. 673).

Without seeing these data transactions take place, it is likely that people do not realize how their freedom is being curtailed. Zuboff (2019) argues that unlike the traditional capitalist economy where goods are mass produced and sold in an effort to satisfy consumer demand, data scraped from audiences' online activity is more or less robbed from them. She calls this commodity "prediction products" and classifies it within a "behavioral futures market" (p. 8). The very nature of the commodity that users produce is to curtail their freedom of choice in order to better predict and control their future behaviors. Arvidsson (2008) does not believe audiences are money-driven, but rather that they participate for altruistic purposes of building social relationships, self-expression, and helping others (p. 333). He calls this the ethical economy, but cautions that capital, in its never ending quest for expansion, is looking to capture this space through strategies of prosumption and co-creation (p, 336), two strategies used in managing televisual flow. Therefore, the audience is unwittingly participating in a transactional process that, through invisible surveillance techniques on digital platforms, is making the audience work harder while stealing the commodity they are producing for financial gains.

Andrejevic (2008) sees the interactivity of audience flow as creating two forms of exploitation through unpaid labor. First, audiences must work to make the program content more interesting through their own interpretations and secondly, through this work, they are providing value to the industry either through traditional television ratings or via online participation (p. 42). In both cases, he does not deny the fact that audiences gain pleasure through these activities; however, Andrejevic (2011) argues that alienation results from viewers relinquishing the rights to their productive capacity (p. 284). With television ratings, viewers' labor power is sold without their consent and in online participation, privacy policies allow for creative content and personal data to be subsumed by capital that audiences are not privileged to control or own. Fisher (2012) identifies two strategies of exploitation deployed by private companies. *Extensive exploitation* is employed to lengthen the working day, such as adding more commercial time at the expense of program content time (p. 172; emphasis added). Second, *intensive exploitation* is a strategy used to entice workers to produce more data, thus resulting in targeted advertising and less waste (p. 173; emphasis added).

In addition to audiences being receivers of content, Napoli (2010) acknowledges their dual capacity to become senders, with the ability to create user-generated content (p. 4). Unsurprisingly, this content is becoming increasingly monetized by media companies (p. 4). Audiences have had the ability to create content for centuries (writing utensils, typewriters, cameras, etc.), but as Andrejevic (2008) points out, never before have audiences become so visible through their ability to post and share content online (p. 25). Therefore, audience flow is now a lot more visible than it was in the past and therefore, a

lot easier for media companies to capture and commoditize, especially for targeted marketing purposes (Mosco, 2009, p. 135).

However, Napoli (2014) has also shown that the traditional television model for constructing audiences as commodities has proven difficult online because of audience fragmentation and the long tail of content availability (see also Anderson, 2006). Therefore, these attempts to monitor audience behavior through online ratings must be considered secondary to the conventional television ratings – another reason why linear programmers' initiative to capture the Internet audience is intended to ultimately drive audiences back to the television screen. Napoli refers to fragmentation resulting in a form of audience "de-commodification" because of the difficulty grouping online audiences together as a unified object (p. 128).

Governmentality behind audience flow.

To better understand the struggle between agency and control for audiences, media scholars have looked to Foucault's (2000) theory of governmentality as a guiding framework, something in which even Foucault believed to be applicable to commercialism (p. 212; Zwick, Bonsu, & Darmody, 2008; Ang, 1991; Langlois, 2013; Deleuze, 1997). Media companies have found value in building relationships with users and appropriating their activity in a practice Prahalad and Ramaswamy (2004) call the co-creation of value. And as I have already briefly mentioned with wikinomics, businesses today are relinquishing control of proprietary information so that the public can "reconfigure products for their own ends" in a practice known as prosumption (Tappscott and Williams, 2006, p. 127). This may include setting up watch lists or personal profiles within OTT portals. However, Langlois (2013) is quick to point out

that these relationships between audience and industry are not equitable because private interests that control online portals and platforms are reaping profits from user activity. Recognizing this imbalance, Sinnreich (2010) refers to prosumption as *configurable culture,* outlining three basic tenets: a) the changes taking place are not necessarily democratizing for users, b) prosumers may actually be reproducing power dynamics favoring private interests, and c) laws such as copyright can severely limit the freedom of prosumers to create (Sinnreich & Latonero, 2014, p. 800).

Prosumption and co-creation give the illusion that individuals are constructed as free persons, when really the industry understands that "control over consumers and markets can best be achieved by providing managed and dynamic platforms for consumer practice" (Zwick, Bonsu, & Darmody, 2008, p. 165). Foucault (2000) thought of individual freedom as a contradiction: "In every case, what characterizes the end of sovereignty, this common and general good, is in sum nothing other than submission to sovereignty" (p. 210). Although when he began writing about governmentality Foucault had moved past his notion of discipline and docile individuals (Lemke, 2001, p. 203), he did not abandon the notion of surveillance; a method he believed was essential for collecting knowledge about subjects in order to control and predict their behaviors (Foucault, 2000, p. 219).

This does not mean that things always go as planned when a limited amount of agency is granted to an audience. de Certeau (1984) centered the struggle for control of media texts between the strategies of the dominant power and what he called the tactics of the subordinated. Although subjects are unable to escape the system, tactics allow for "trajectories," which illustrate how people can buck the dominant system without being

detected (p. xviii). According to de Certeau, traditional television ratings fail to detect trajectories because the data collection process only calculates homogenous groups, or the viewers tuning into a program (p. xviii). In the online world, however, ratings are much more likely to pick up on these trajectories. Foucault believed that agency of the subordinated is strategically created in response to the dominant regime. Deleuze (1997), however, disagrees and argues that human *desire* is the primary motivating factor, offering what he calls "lines of flight" (p. 187; emphasis added), which is similar to de Certeau's trajectories. Lines of flight are both created as a result of and eliminated by those in power (p. 188). Although the dynamics of data gathering are more comprehensive and the structure of the industry more complex today than at the time of Ang's (1991) research, she believed that there are no guarantees when it comes to predicting audience behaviors based on the information gleaned from media surveillance practices (p. 87). Furthermore, when audiences activate lines of flight, there is little the dominant media powers can do to discipline them (p. 87). In OTT spaces, lines of flight can be much more labor intensive as users may need to work around algorithms and industry marketing priorities to find content to their liking.

One of the overarching goals of governmentality is to define communities through economic terms in the managing of goods, wealth, and individuals (Foucault, 2000, p. 207). In discipline societies this is done by force, where no choice is given to an individual. An example of a discipline society typically applies to the structure of the military where enlistees have no choice in their assignments or how they serve. However, in governmental societies (also known as control societies), decisions are made through a promotion of self-determination for the participant (Lemke, 2001; Foucault, 2000;

Deleuze, 1992). The goal here is to carefully control the choices made by participants so that they feel as though they are making free and self-determined choices. In terms of the governmentality guiding the television industry, media companies offer content choices in exchange for a subscription fee and/or ownership of viewer data from the resulting audience flow for their own commercial use, while simultaneously dictating the terms for how audiences can access and use their service. The result is a deepening control of content flow, audience flow, data collection, and revenue by media companies. If a user does not agree to a company's contract, they either won't be able to use the service at all or the structure of the content flow will be extremely limited. This is why neoliberal ideology views data as an instrument that is necessary for the improvement of the viewer/user experience (Draper, 2012, p. 403).

The goal of governmental ideology in marketing is "to make marketing out of, and through, the other" by shaping subjects as free persons (Zwick & Bradshaw, 2014, pp. 166-7). This means that users operate under the guise of being free persons and therefore voluntarily choose to create, engage with, and spread media content across digital spaces using their personally identifying social media accounts. Not only is user activity valorized, but users are also valorized when their online subjectivities are appropriated for promotional purposes (Manzerolle, 2010, p. 462). Andrejevic (2008) argues that corporate marketing promotes participation as empowerment because of the possibility of gaining the attention of others (p. 35-7).

One of the primary motivating factors behind this audience behavior is attention. Attention operates within the law of increasing returns and as online activity accumulates it, algorithms help spread it to more and more people. Those rich in attention have the

possibility of achieving celebrity status. Goldhaber (1997) refers to this as the "star system" because of the way the Internet and the attention economy afford anyone an opportunity to become a celebrity (para. 5) a la the American dream. Of course, the process does not work as organic as many are led to believe. External factors such as endorsements from influencers and recommendation algorithms that push trending content to the forefront of other users' attention need to be considered key parts of the equation.

Attention economy & audience commodity.

In economics, one of the ways the value of a commodity is calculated is based upon its scarcity. As Simon (1971) observed, "in an information-rich world, the wealth of information means a dearth of something else," that being attention (p. 40). And every media flow that exists is competing for it. Thus, the attention of audiences is the primary commodity packaged by measurement firms and sold to media companies and advertisers (Smythe, 2014; Manzerolle, 2014). Davenport and Beck (2001) define attention as the "focused mental engagement on a particular item of information" (p. 21). Because it is believed that individuals can only focus attention on a single item at a time, television is said to be a zero-sum game because when one program gains attention, another one loses it (Davenport & Beck, 2001, p. 93; Bernardy, 2010) and if you consider that nearly 500 new and returning scripted series were available in 2019 (Friedman, 2019a), it raises the competitive stakes as to which content will get the most eyeballs. Thus, exhibition and location become major factors for media companies setting out to create successful content flows, especially if you consider the intrusion of mobile devices and digital platforms into the audience experience (Lanham, 2006). Examples of exhibition include

a wide array of strategies, from using push notifications to sending viewers a reminder about a program on their mobile devices to creating a promotional social media post that users can share with others. All of these attempts are to provide entry points for audiences to access content flows, which media companies hope will lead to interactivity and engagement, which, if successful, aids in attracting the attention of additional viewers, which results in the synchronization of audience flow with content flow, which then could lead to content or platform loyalty.

Webster (2014) argues that an important component of the attention economy is that the rich are likely to get richer, which automatically makes for an unlevel playing field considering that legacy media companies will likely steer their already-existing audiences to their online presence. It is similar to what occurred with radio audiences when NBC and CBS transitioned to broadcast television in the twentieth century. The attention, reputation, favor, and massive budgets that these already-established networks received made it difficult for television startup Dumont Network to compete as the network had no radio arm and its television stations relegated to the lesser-watched UHF channel band, hindering its ability to attract a loyal audience, and eventually leading to its demise by the mid-1950s.

As online content collects clicks, likes, shares, and comments, the more likely it is to gain spreadability (Jenkins, Ford, & Green, 2013) and continue to attract further attention. Thus, the playing field cannot be considered entirely level for all media players. Webster (2014) confirms this in his analysis: established media firms with a strong attention base will be far more successful in gaining attention than a start-up company competing for the same audience. Netflix, as an example, relied on popular

legacy media content to help it gain leverage within the streaming marketplace. For Franck (2002), attention not only attaches value to cultural goods, but also acts as a kind of wage for those that can collect it. Therefore, the barriers to entry in the attention economy can lead to an unbalanced distribution of wealth and are likely to result in further consolidation in an already existing oligarchy industry.

Materializing Flow: Audience Measurement

The attention economy is the basis for which television audiences are measured and eventually monetized. Audience research takes an institutional approach that involves, but is not limited to, attempts to control and predict audience behavior through flow. To achieve this, media companies rely heavily upon audience measurement techniques and ratings data that materialize audiences. Ettema & Whitney (1994) refer to these resulting commodities as institutionally effective audiences, which illustrates the economic value audiences possess to serve stakeholders (p. 5).

When it comes to measuring UPFs, Nielsen Media Research is the industry agreed-upon standard that assigns ratings points to programs based upon a small sampling which is then projected into a percentage of all households that own a television set or connected device and are watching a particular show. Data are collected through probability sampling methods which select certain households as representative of a larger geographical area (Nielsen, 2019a). This process is problematic for several reasons. First, using projections indicates that ratings calculations are not an exact science and are largely based on small sections of the population that may or may not be representative of the larger society (Meehan, 2014, p. 84). This prompts Napoli (2011) to question whether the conception of the audience is fact or opinion (p. 161). He argues

that the defining qualities do not meet the requirements of being a fact, but in the marketplace, they act as a socially accepted one (p. 162). Additionally, this means ratings are not neutral, but heavily biased because of the selection (and resulting exclusion) process (Ang, 1991, p. 34). This raises concerns for the representation for ethnicities, gender, and class in ratings measurements (Bermejo, 2009, p. 139). Additionally, advertisers are generally interested in the 18-49 year-old demographic, which renders segments of the audience as worthless (Bolin, 2009, p. 357), or what the industry calls "waste" (Turow, 2011, p. 7). Nielsen does not make its sampling methods public, but nevertheless ratings materialize the existence of the audience commodity within UPFs (Meehan, 2014).

Manzerolle (2014) calls the construction of audiences a real abstraction because audience flow is only "real" in the context of a commercial media system (p. 214). Simultaneously then, ratings data make the audience flow both invisible and visible as an object. Invisible because ratings strip away the subjectivities (and in some cases the entire existence) of viewers in favor of generalized data (Ang, 1991, p. 56, Shimpach, 2005, p. 344), and visible because the numbers represent a unified object that is packaged and sold by networks to advertisers (Meehan, 2014). This not only allows media institutions to set advertising rates, but to also monitor behavior patterns, which can aid in controlling the future flow of audiences (Ang, 1991, p. 8). Thus, the construction of audiences does not occur naturally or objectively (McGuigan, 2014, p. 8); rather, audiences are material constructs packaged for the purpose of selling commercial time (Smythe, 2014) and providing investors with a valuable commodity.

Non-linear flows and the use of second screens have made audience measurement much more complex and diversified within the digital landscape. Because television content can now be simultaneously accessed through UPFs and PPFs, attempting to calculate individual viewers across platforms is difficult without running the risk of duplication or not counting them at all. For instance, if a viewer begins to watch a live broadcast of a baseball game on cable television, but then continues to watch it on a mobile device through wireless streaming, audience measurement firms such as Nielsen want to avoid counting that viewer twice (as two separate people). Additionally, if a viewer is watching content on a mobile device, there is a risk that they may not be counted at all if the measurement firm is not collecting data from that particular device, service, or platform. The digital landscape has also ushered in new digital audience measurement firms that offer to analyze audience data in ways Nielsen cannot. The digital analytic measurement firms typically scrape the web for qualitative audience feedback that adds a more subjective function to audience reception beyond simply attention.

Unlike the passivity of exposure measured by traditional television ratings, online attention precedes engagement, which precedes money (McGonigal, 2008; Napoli, 2014). Falkinger (2008) deems this the two-stage equilibrium model where businesses must first compete for attention and those successful at getting it then compete for engagement (p. 1597). This theory provides the foundation to ITV and is what ultimately connects audience flow with content flow. Jenkins, Ford, and Green (2013) argue that none of this is new – people have always communicated with others about media content, but that networked culture is making it more materialistic through user-generated content (pp. 13-

15), which allows audiences to become a player within the attention marketplace (p. 116). Those with the greatest amounts of attention become ever more valuable and attractive to advertisers. Thus, the more engagement that content receives (likes, shares, comments), the more attention it will get. Attention and engagement are both measureable activities through the cross examination of surveillance techniques such as online analytic calculations and ratings data (Davenport & Beck, 2001; Terranova, 2012).

The attention and engagement of the audience commodity within digital television content flows raise concerns over how these commodities are being formed within the triangulation of media companies, advertising agencies, and measurement firms. Questions of representation, agency, ideology, and exploitation surface when investigating the contemporary audience environment based upon our knowledge of commercial media structures. Leavitt (2011) defines the term *audience* as a "malleable category that encompasses varying behaviors yet unifies diverse participants around media and information while moving beyond statistical extrapolations and outdated abstractions" (p. 2). The latter part of Leavitt's definition indicates the tension that exists between traditional broadcast "exposure" measurement tools and the more lucratively rich data audiences produce through their labor of watching and engaging. Television's move to measuring audience activity online is part of what Napoli (2014) terms "audience evolution" (p. 117). This results in more ways for the industry to strengthen its conventional forms of broadcasting by targeting pockets of audiences with media content as a way to boost ratings or steer them to UPFs.

The application of ratings to social media has prompted smaller measurement firms to try and offer alternative, more qualitative solutions for measuring audience flow.

For instance, a company called Mashwork offers Canvs, a social analytical software platform that touts the ability to measure tweets qualitatively using psychographic algorithms to reveal audience sentiment (Canvs, 2020). While this approach acknowledges viewers' subjectivities, it is not clear how equitable its audience representation is when it comes to sampling. Additionally, the trend has become that small measurement firms sometimes get purchased by more established ones.[5] Kosterich and Napoli (2016), through their analysis of media trade publications, determined that the traditional exposure-based Nielsen ratings remain the standard for measuring television audiences; however social television analytics are serving in a supplemental role within the industry.

Regulating Flow

Measurement firms and television programmers are not the only parties that can have an impact on audience and content flows. Much of the television industry falls under the rules and regulations of the Federal Communication Commission (FCC), and more recently, also the Federal Trade Commission (FTC). I will discuss each of these governing bodies' roles in more detail later in this section as well as in chapter five. However, Bar and Sandvig (2008) see the primary goal of government policy as being a mediation between interests that control media and technology, and those who want access to it (p. 533). However, as history has shown, government policy does not always guarantee a level playing field. Simpson (1994) reminds us that during the years surrounding World War II, government, military, and commercial groups viewed communication as an instrument of propaganda, with the sole purpose of extending the

[5] Prior to their announced partnership in 2013, Twitter purchased Bluefin Labs and Nielsen Media bought SocialGuide, paving the way for the Nielsen-Twitter Ratings.

reach of dominant powers (pp. 6, 116). This led to content and ownership regulations. Today, the government remains involved in regulating technology, copyright, anti-trust laws, airwaves, and portions of the Internet (Pickard, 2015, p. 217). But on whose behalf are they serving? Schiller (1992) takes a cynical stance, proclaiming, "what now prevails…is the rule of money complemented with the rule of law" (p. 11). He views government structures, such as the FCC as being relatively weakened by capital interests and that the intent of deregulation is not to serve the public interest, but to boost corporate profits (p. 10).

Both micro- and macro-level content flows have been subject to government regulations. Historically, FCC policies such as the Financial-Syndication Rules (Fin-Syn) and the Indecency Rules have had a direct impact on the way micro-level flows are structured. Fin-Syn was intended to weaken the vertical power and ownership of the broadcast networks to promote more original and diverse content. The Decency Code (which is still in place today for over-the-air broadcasters) established guidelines for content creators to refrain from anything that was deemed obscene or indecent. Instances of the FCC regulating UPFs include the Prime Access Rule and the Educational and Informational (E/I) requirements. Prime Access mandated that the big three broadcast networks relinquish one hour of prime time programming to their local stations with the hopes that the 7-8pm hour Monday through Saturday would feature more local original programming. E/I requirements mandated that broadcasters set aside three hours a week to dedicate a flow of educational programming. These examples flexed the most muscle during the era of the big three broadcast networks. Today, with the proliferation of MVPDs and OTT content options, the FCC's reach is limited in dictating standards for

micro-level flows, but their presence (or lack thereof) can be felt in macro-level ones. The FCC under the Trump administration has taken a more laissez-faire approach to regulations by repealing net neutrality in 2018, relaxing privacy laws, and promoting mergers and acquisitions. Grasping an understanding of how the industry views this regulatory decision-making as well as its potential impacts on flow will help provide audiences with a better understanding of their roles within the industry-audience power dynamic.

Given the recent technological changes to the ways televisual flows have become interactive and now demand more activity from viewers, there is no better time to investigate the programming, measurement, and regulatory strategies being deployed by the industry and examine the implications these have for audiences.

Chapter 2

Methodology

As I discussed in the first chapter, television can no longer be considered a one-way communication medium. Its content is spread across a plethora of distribution outlets (broadcast, cable, satellite, and Internet) and each of these contain unique characteristics which influence content flows and pose implications for audience accessibility, participation, and construction of subjectivity. Because of the commercial nature of televisual flow in the U.S., Golding and Murdock (2000) advocate for a critical political economy approach as a way to "liberate the public sphere" from corporate capture (p. 23). Political economy as a methodology is capable of examining an entire system's infrastructure in order to determine how the exercises of power operate within and through the relationships of government policy, private ownership, and audience (p. 23).

Mosco (2009) outlines four aspects to this approach, stating that political economists must demonstrate "a concern for history, the social whole, moral philosophy, and praxis" (p. 5). He defined the political economy of communication as being concerned with the study of control (power dynamics) and survival (distribution of resources) in social life (p. 2). Although the method approaches culture from a macro perspective, the public's interest is very much present in its ends. McChesney (2013) adds that it is the "organizing principle for evaluating the digital revolution" (p. 13). Media economics is generally concerned with maximizing profits for private companies while political economy intervenes with concern over ownership control and morality

(Wasko, Murdock, & Sousa, 2011, p. 3). Thus, the moral underpinnings of this approach are an attempt to show how things *ought* to be rather than how things are. Adam Smith, largely credited with developing the theory for the division of labor (Mattleart & Mattleart, 1998, pp. 5-6), had advocated for the inclusion of ethics into the economy; however, capitalism today tends to exclude any signs of moral philosophy (Murdock, 2011, p. 13). This represents the importance of public policy and regulation to protect the public from subordination to private industries (p. 16).

This does not mean that media texts should be dismissed or brushed aside. Raymond Williams was a key contributor to the school of cultural studies who believed strongly in the importance of textual analysis. As Havens, Lotz, and Tinic (2009) argue, "We cannot accommodate the conclusion that meaning, textual production, and industry practices are predictable or guaranteed to reflect only the interests of those who control the means of production" (p. 238). While political economy will aid in a better understanding of the structures and rules governing the industry, it is important to also understand the impact these have on the creation and reception of content. Havens, Lotz, and Tinic (2009) coin the combination of these methodologies *critical media industry studies*, which is intended to provide a more holistic view of content conception, production, distribution, and discoverability processes. Digital disruption has brought the television industry to a critical juncture and it seems fitting that a combination of methodologies be utilized for presenting a more complete picture of what business practices are unfolding and how these potentially impact the viewer. Using a similar approach, Christian (2018) discovers, through his own production experiences as well as interviews he conducts with producers, that web TV series possess an enhanced level of

agency to operate outside of industrial constraints when it comes to displaying diverse representations of race, class, gender, and sexuality. The current state of flux for macro-level content flows has raised the stakes for the possible implications on audience flows in terms of media literacy, economic power, and media consumption. Therefore, this project sets out to address research questions in the areas deemed most concerning for flow and audiences: management, measurement, and regulation.

Managing Flow

- What are the ideologies embedded within the contemporary strategies being employed to manage UPFs and PPFs and what is the resulting impact on audiences in terms of power dynamics, terms of access, and agency?

Measuring Flow

- In what ways are broadcast ratings, online analytics, and audience data collection influencing the nature of both, UPFs and PPFs and to what extent does this impact audience flows? Exactly what data is being collected, where is it going, and how is it being used in ways that impact flow?

Regulating Flow

- Specifically examining the areas of flow access, copyright law, net neutrality, and privacy, how are government regulations viewed within the industry and to whose benefit do they serve? What does this mean within the context of the industry/audience power dynamic and what can be done if certain protections are not being met?

Future of Flow

- What would be the defining characteristics of a media system that featured a democratized content and audience flow?

In response to these questions, data collection for this project involved two stages: analyzing trade journal articles and conducting qualitative interviews with industry professionals. The purpose for these approaches is twofold. First, I wanted to gain a better understanding of how the industry approaches content flows and explore the varying strategies and techniques being deployed behind the scenes. Technology is moving at such a rapid rate that it is important to get a firsthand knowledge of how the industry is responding, what players are involved, and in what role(s) they are deploying the audience. Second, I am interested in the industrial perception of the audience, their philosophies, how companies operate behind the scenes, and the current state of the audience-industry power dynamic.

Trade press publications *Variety*, *Broadcasting & Cable*, *Media Week*, *Advertising Age*, *Media Post*, and *Adweek* were analyzed for articles containing information relevant to managing, measuring, and regulating content and audience flows. These publications were selected because of their established presence within the media industry and seemingly up-to-the-minute publishing cycles. Although the use of trade press in academic research must be treated with discretion in order to properly identify possible biases and public relations masked as journalistic reporting, it is becoming a necessity for researchers to remain current with the ever-changing trends of digital technology (Kosterich & Napoli, 2016; Wilkinson & Merle, 2013). Wilkinson and Merle (2013) argue that using trade publications "permit scholars to stay current on dynamic change in media industries while considering the broader implications for individuals,

institutions, and/or society at large" (p. 427). Trade publications were searched over a four-year period from January 1, 2014 through December 31, 2017 using the Factiva database. Searches were conducted for each of the primary areas of focus with an option activated to eliminate articles that were identical. Terms were selected based upon previous research conducted for the literature review.

For flow management, the search parameters were "'programming strategy'" or 'content strategy' or 'interactive content' or 'interactive programming' or 'television programming' or 'program flow' or 'second screen' or 'social TV' or 'program strategy' or 'television content' or 'audience engagement' or 'viewer engagement'." The results delivered 2,236 articles with 220 identical duplicates. Table 2.1 provides a breakdown.

Table 2.1 Trade Journal Search Results: Management of Flow	
Search Results by Trade Journal	Year-by-Year Search Results
• MediaPost.com - 1,056 articles • Variety – 758 articles • Ad Week – 220 articles • Broadcasting & Cable – 166 articles • Advertising Age – 36 articles	• 2017 – 441 articles • 2016 – 549 articles • 2015 – 534 articles • 2014 – 712 articles

For measurement of flow, search terms included "'audience measurement' or 'audience analytics' or 'viewer analytics' or 'viewer data' or 'audience data' or 'track audience' or 'track viewers' or 'collect data' or 'ratings data' or 'tracking viewers'." The results delivered 1,490 articles with 202 identical duplicates. Readers may notice that "ratings" and "data" were not individually searched terms. This was because preliminary

search results indicated an overabundance of use that included hundreds of articles outside the scope of this research. To keep the project manageable, it was decided to combine these terms in an attempt to find articles speaking to the higher concept of audience and content measurement, rather than the specific ratings points of television programs. Table 2.2 provides a breakdown.

Table 2.2 Trade Journal Search Results: Measurement of Flow	
Search Results by Trade Journal	Year-by-Year Search Results
• MediaPost.com - 1,107 articles • Variety – 183 articles • Ad Week – 110 articles • Broadcasting & Cable – 64 articles • Advertising Age – 26 articles	• 2017 – 306 articles • 2016 – 416 articles • 2015 – 390 articles • 2014 – 378 articles

Finally, for regulation of flow, search terms included "'regulation' and 'television' or 'regulatory' and 'television' or 'regulation' and 'TV' or 'regulatory' and 'TV' or 'copyright law' or 'piracy' or 'copyright infringement' or 'net neutrality' or 'deregulation' or 'zero rating' or 'communications act' or 'telecommunications act' or 'audience privacy' or 'viewer privacy' or 'user privacy' or 'data collection' or 'privacy act'." Results delivered 3,057 articles with 299 duplicates. Because of the changing regulatory landscape concerning net neutrality and privacy, a second search was conducted using the same search terms for the period of January 1, 2018 through June 30, 2018 that netted an additional 684 articles with 68 duplicates. Table 2.3 shows the combined results of both searches.

Table 2.3 Trade Journal Search Results: Regulation of Flow	
Search Results by Trade Journal	Year-by-Year Search Results
• MediaPost.com – 2,008 articles • Variety – 1,280 articles • Ad Week – 263 articles • Broadcasting & Cable –144 articles • Advertising Age – 46 articles	• 2018 (through June 30) – 684 articles • 2017 – 777 articles • 2016 – 663 articles • 2015 – 735 articles • 2014 – 882 articles

The articles were coded using NVivo software and the constant comparative technique from grounded theory (Corbin & Strauss, 2008). Each article was analyzed using open coding and examined for how the author approached flow. Throughout the coding process, memos were created to keep possible subcategories and patterns close by. At the conclusion, codes were then compared using axial coding. This allowed concepts to be linked to one another, which in turn helped to create code subcategories, which at times linked directly to an idea previously recorded in a memo. Conceptual patterns then emerged from these subcategories for each of the main areas. In addition to findings being reported in subsequent chapters, the trade journal analysis also provided insight to interview questions, particularly in the areas of measurement and regulatory practices. Research firms such as Nielsen, ComScore, Forrester, Kagen, McKinsey, Pew, and eMarketer along with journalism staples including the *New York Times*, *Wall Street Journal*, *Forbes, Business Insider*, and *Washington Post* were also consulted as secondary sources for additional statistics and background information. Finally, government documents detailing topics such as net neutrality, copyright law, and other

FCC policy that directly apply to and impact audience and content flows were also examined. These are either directly cited within this research or were instrumental for background reading as initial starting points.

In the second phase of data gathering, I conducted qualitative interviews with industry professionals. Speaking directly with professionals from different sectors of industry provided a glimpse into one person's perspective of an industry that is all too often characterized as a single, monolithic entity by academia. Because history has taught us that competition between media companies increases exponentially as audience fragmentation deepens, there is good reason to believe that companies are experimenting with different strategies and perhaps novel approaches of which audiences should be aware. Political economist Herbert Schiller advocated for professional interviews to be considered primary sources because of the way they allow researchers to "listen in" to industry conversations (Maxwell, 2003, p. 5; see also Pickard, 2013, p.308). Schiller was particularly concerned with the balance of resource allocation and how power structures strategically maintained themselves (Maxwell, 2003). As Mills (2008) points out, the majority of critical research has focused on the analysis of media texts and structures rather than on practitioners (p. 151). Potter (2018) adds that industry interviews include "gaining access to specialised knowledge that is not generally available elsewhere and developing a broader understanding of the operational thinking and belief systems that emerge from, and are part of, industry practice" (p. 163; see also Freeman, 2016, pp. 56-7).

This does not mean that industry interviews are without their potential pitfalls. Holt (2013) cautions scholars to be wary of collecting responses that wreak of spin, bias,

and self-promotion. Potter (2018) adds that high-level officials may also be less likely to share information while practitioners at any level may be fearful of signing institutional review board (IRB) consent. The latter appeared to be an issue for me as several individuals either declined or failed to respond to me after receiving the IRB consent form upon their initial consent. This, perhaps, is due to the appearance of going on-the-record with their name, company, and position despite being promised anonymity for this project.

Conducting qualitative interviews can also be limiting, because as massive as the American television industry is, this particular methodology only provides insight from a micro-percentage of industry workers (and only those that wish to speak). Of course this means that there were people not reached for this project and not given an opportunity to speak. Furthermore, it is quite possible that the individuals that volunteered to participate were motivated to do so because of a possible bias, either for or against the industry, the willingness to help a student, or simply the attention their thoughts and ideas would receive in a long-form interview.

Interview subjects were identified using purposeful sampling. According to Lindlof and Taylor (2011), this is the most common type of qualitative sampling because it allows researchers to target who they want to interview or observe in a given environment (p. 110). Within this schema, a sample can range anywhere from "explicitly stated criterion" (p. 12) to "the most readily available people" (p. 116).

Purposeful sampling for this project was conducted using LinkedIn profile data and one interview was acquired through a personal industry connection. However, I had no prior knowledge of nor relationship with any of the interviewees, other than having an

awareness in certain instances of media content to which they were professionally connected. Using LinkedIn, a series of searches were conducted for job positions frequently mentioned during the trade journal article analysis. Search terms consisted of audience strategist, content media programming, multiplatform strategy, TV audience research, content strategist, media strategist, and media programming strategist. Results were then filtered for people working within the television industry and connection requests were sent to 98 individuals. Accompanying the connection request was a short note requesting an interview for this research and promising personal and professional anonymity (see Appendix B). Two weeks after this initial search, and with only a small amount of connections trickling in, a second search was conducted for participants primarily in the measurement and marketing fields using the search terms audience research, marketing, media planning, TV research, TV advertising, media research and media analyst. Once again results were filtered and I sent connection requests to an additional 58 people. Interestingly, as connections were made on LinkedIn, connection requests began to reflect the degree of separation between the targeted recipient and myself. This algorithm worked very much in my favor as I noticed an increase in the rate of speed of successful connection requests as the search process progressed. People receiving my requests began to see that I was connected with somebody they knew or shared as a mutual connection. In theory, this may have provided them with more faith in accepting my request and I found responses became more entrusting as my research progressed.

As I conducted the interviews, I made memos and notes during and immediately following each one. In some cases, interviewees pushed me into a new direction that I

had not previously considered nor had searched for on LinkedIn. In the third and final round of interview connection requests, I searched the terms OTT strategist, user experience design, UX design, targeting, and TV strategist. After filtering through results, I sent an additional 127 connection requests.

In sum, I reached out to a total of 283 people, of which exactly 100 accepted my connection request. Upon being notified of their acceptance, I sent each person a longer, more detailed message thanking them for the connection, informing them of my research and interview process, and welcoming them to contact me either via LinkedIn message or my school email address (see Appendix C). Of these 100 connections, 51 responded to me – 46 via LinkedIn and five via email. Unfortunately, not everyone checks their LinkedIn accounts on a regular basis and seven people responded back to me several months after the interview process was already completed, leaving me with 44 possible participants. However, an additional 17 individuals declined to participate over concerns of signing the IRB form, fear of breaking with their company's non-disclosure agreements, and/or the hour-long time commitment requested. This meant that 27 individuals agreed to be and were interviewed for this project.

Understanding the demographics of these participants is important because they provide context to the diversity, age range, and gender from which responses were generated. Of the 27 participants, 22 were identified as Caucasian, two as African American, two as Hispanic, and one as Asian American. While invitations were purposefully sent to include people from all backgrounds on LinkedIn, the results still demonstrate a lack of diversity (and agency) within the media industry. This was also the case when it came to gender. Applying the gender binary of man/woman to the pictures

and names posted on LinkedIn pages, the total number of people contacted consisted of 150 women and 133 men. Despite more women being initially contacted, the final ratio of participants that agreed to be interviewed was 21 men and six women.

Because every individual was contacted in the exact same manner, I can only speculate as to why results did not amount to a more equal balance in gender. One theory is due to the gender and racial imbalance that presently exist within the media industry where white males traditionally hold the executive leadership positions. During the interviews, some individuals stated the importance of anonymity because they felt they could be risking their jobs by divulging certain information to me. Therefore, it is plausible that women and possibly other minorities may not have felt that their jobs were secure enough to be participating in a research study where they were asked to speak candidly about the industry and company for which they worked. Thus, the sample of participants for this project is more of a reflection of the industry rather than of society.

Ages, on the other hand, varied greatly with three participants being in their 20s, nine in their 30s, nine in their 40s, four in their 50s, and two over the age of 60. The younger-skewing age demographic perhaps is a result from using a social media platform such as LinkedIn for sampling purposes. It could also demonstrate a characteristic of young professionals willing to talk about an industry where making change is still realistically within their grasp long-term.

In preparing for the interviews and because people can input any job title they want on LinkedIn, all participating subjects were verified using online industry websites, professional e-mail accounts, or calling a company's front desk. Represented in the interviews were job positions in the areas of *advertising agency data analysis,*

advertising agency content strategy, advertising sales and strategy, audience development, broadcast engineering, communications and marketing strategy, content distribution, content marketing, creative services, measurement and data analysis, media intelligence research, content production, programming and strategy, and *user experience* (*UX) design*. Interviews were scheduled for an hour, although some lasted for almost 90 minutes. Although interview responses relied upon personal observation, perception, and philosophy, I began seeing enough overlap in responses as I approached two dozen interviews to reflect a point of saturation, which Lindlof and Taylor (2011) identify as new data no longer producing any new information (p. 117).

Interview questions focused on three primary areas: managing content/audience flows, audience measurement, and government regulations. The questionnaire can be found in Appendix A, although in many cases I probed deeper in certain areas and pursued additional lines of questioning based upon subjects' responses or their area of expertise. This aligns with the recommendations set forth by Litoselliti (2003) and Morgan (1996), where they explain that a flexible structure will provide richer and thicker data.

As mentioned, approval for the interviews was obtained through an Institutional Review Board (IRB) to ensure the anonymity and confidentiality of all participants involved. Because interviews were audio recorded, the IRB required written consent from participants so that all parties were made aware of when the recording equipment was active and how the recording would be securely stored and used. Interviews were primarily done via telephone call, although one was conducted face-to-face. For each recording, I personally and manually transcribed the interview using Express Scribe

software, taking additional notes throughout the process. This was done to ensure accuracy, keep the researcher as close to the data as possible, and to preserve anonymity for the subjects, many of whom mentioned names and specific examples during the recording.

According to Charmaz (2011), researchers should begin coding from the very beginning of the data collection process, which entails identifying and labeling certain data that will allow analytical interpretations to be drawn (p. 43). For this project, initial and focused coding was borrowed from grounded theory (p. 46) while remaining close to the theoretical foundation of televisual flow set forth by Williams (1975).

Initial coding encourages researchers to be open to all possible ideas and recommends interviews be fully transcribed. Using the strategy of incident-to-incident coding during the initial coding phase, I constantly compared segments of collected data to see what themes or patterns emerged. Because codes are essentially constructed from a researcher's perspective of reality, Charmaz (2011) recommends using in vivo codes to keep researchers close to the data by developing codes that match an environment's specific terminology or a participant's exact words (pp. 55-57). This was followed by the focused coding stage, which made use of the most frequent and/or significant initial codes (p. 57). By comparing data sets with each other as well as with the initial codes, new codes and themes emerged that contributed to new theories within or beyond Williams' notion of flow and the perceptions of the audience. Referred to as axial coding, this process helped reorganize data that was initially coded by reassembling it into concepts that formed a new coherent whole (Charmaz, 2011, p. 60). Memo writing is recommended throughout the interview process, which I utilized to assist in exploring

codes openly and using them to direct future data collection (p. 80). Coding for interviews was done using NVivo software.

While the trade press presented information from a macro, and often times hyperbolic perspective, the interviews were much more nuanced and pragmatic. As one executive opined about the trade press,

> The only way to write an article is to write it with a catchy headline that says this is the new thing and I need to tell you something that changes your perspective, but you were thinking of it this way – you're wrong! Think of it my way. That works great for articles…but in practicality it's not really what happens. (personal communication, August 20, 2018)

The intention behind this project is to reveal narratives and trends that demonstrate the nature of the relationship between audiences and content flows; in other words, to make the invisible visible while gaining the perspective the industry has of audiences. The trade journal research utilized for this project was instrumental in assisting in the creation of interview questions.

Although Raymond Williams was a leading figure in critical cultural studies research, his theory of flow provides the best lens through which to examine the American television industry by way of a political economy approach. This is because flow has the capacity to serve as entry points into both the textual and structural elements of television. With micro-level flows, we can analyze media texts with an ideological framework. With macro-level flows, we can analyze how disparate units of content are arranged and structured in order to gain a better understanding of the ways in which strategic programming design is leveraged to construct and control audience flows. Because political economy is indicative of a top-down approach for study, it will allow us

to go beyond what the audience simply sees on the screen and instead afford us the opportunity to peer inside the industrial complex to see how it functions.

The blindspot debate that occurred between cultural studies scholars and political economists in the late 1970s (see Smythe, 2014; Murdock, 1978) seemed to pit the two methodologies against one another, whereas critical media industry studies (see Havens, Lotz, & Tinic, 2009) allows us to borrow aspects from each. For my purposes here, this provides me with the benefit of uniquely dissecting flow from multiple vantage points, thus producing a more comprehensive analysis. The information I collect might then be of use to audiences and communities as a form of media literacy, which I am sure Williams would be in favor of in order to attempt a disruption of the industry from bottom-up.

Chapter 3

Management of Flow

The following is an excerpt from a 1981 episode of *Taxi* that involves television network programmer Mitch Harris (portrayed by Martin Short) and his colleague Janine (portrayed by Melendy Britt) discussing the management of televisual flow. Harris' career has skyrocketed to fame through the prescient programming advice he's received from cab driver Jim Ignatowski (portrayed by Christopher Lloyd), but feels guilty for exploiting him.

> Janine: "Mitch, they're having the victory party down the hall. Everybody's asking for you, so come on."
> Mitch: "No, no, Janine. Come in, please. I have something to tell you. I had nothing to do with the schedule. That man is the one who did it all. Jim, here, is a programming genius… I can't go up there and take credit for something he did."
> Janine: "Mitch, all of us here are always asking for people's opinions about television. Our friends, our lovers, the man on the street, even the shoe shine boy. I've gotten advice, darn good advice, from my hairdresser. My nephews picked our six o'clock news team. Now what does it matter in the final analysis how we arrived at those choices? The point is we made the final decisions and we stuck to them." (Lloyd & Pitlik, 1981)

Despite this episode being written more than thirty-five years ago, it remains quite relevant for our discussion about flow. First, throughout the process of conducting interviews with professionals for this research, it became clear that Janine's response to Mitch had some merit to it. A majority of interview responses demonstrated that the management of content flow does not occur in a vacuum. As one data analyst put it:

> They tell you not to think anecdotally about yourself and what you do or your household does, but you cannot; you're a human being and it's how you take things in, how your kids take things in, how your parents take things in. (Data Analyst, personal communication, August 13, 2018)

Additional interview responses included examples such as:

- "My brother-in-law who is much smarter than me…" (Media Intelligence Executive, personal communication, August 7, 2018).
- "My kids love being able to hack into something on an IPad or a computer and watch whatever they want…" (Data Analyst, personal communication, August 13, 2018).
- "I'm trying to separate my own feelings…" (Audience Development Strategist, personal communication, August 30, 2018).
- "To use my kids as a small example, but they're pretty media savvy kids and I know a lot of their friends and I know a lot of other young people and also kids and people who work for me in their 20s…" (Content Producer, personal communication, August 9, 2018).
- "This is where you can't help it and I look at my own kids …" (Media Intelligence Executive, personal communication, August 7, 2018).

Whereas the *Taxi* writers portrayed television executives devoid of any type of skillset (I don't think any of the interviewees' kids are selecting their networks' news teams), I interpreted these types of responses to be more of an observational research tool or validation technique for the management decisions they were making. At the core of it, total objectivity is impossible for humans to achieve. Our cultural upbringing and day-to-day experiences influence how we see the world and thus, the decisions that we make. Nevertheless, this contextual bit of information is important to be aware of because as my data collection demonstrated, these decisions ultimately lead to individuals' cultural identities being harvested and appropriated for commercial gain, which then ends up getting served back to viewers in a fabricated way.

The second takeaway from the *Taxi* episode is that it appears as though the new digital television milieu has turned us all into Jim Ignatowskis. Over-the-top (OTT) portals and digital video recorders (DVRs) afford us the ability to pick our shows and create custom programming flows that fit our schedules and are to our liking, in similar fashion to the time-shifting capabilities of the video cassette recorder (VCR) of the 20th

century. And just as Jim Ignatowski wasn't paid for creating a program lineup that helped Mitch Harris' network win over the audience, OTT consumers and DVR users typically pay a monthly fee for the privilege of creating their own schedule while content owners carefully track and aggregate this activity in an attempt to capitalize off the most successful design approach.

In a sense, not much has really changed. Whether viewers are engaged in a universally planned flow (UPF) or personalized planned flow (PPF), the ultimate goal for the content proprietor has always been to keep them there for as long as possible. This is because viewer activity can be converted to brand loyalty and/or monetary profit – either from advertising revenue, which is generally based on the number of views or impressions a piece of content receives, or through paid subscriptions. Thus, media managers have this imperative of keeping viewers engaged in a flow for as long as possible amidst a media ecosystem that features thousands – if not millions – of viewing choices across a plethora of distribution outlets. To succeed, there needs to be some level of control exerted over the audience. This does not come without challenges for the industry, however. For instance, although YouTube's recommendation algorithm has been instrumental in helping it achieve stickiness, it has been criticized for steering audiences to extremist videos and politically polarizing content. In June 2019, the company announced plans to adjust its recommendation algorithm in an effort to reduce the promotion and monetization of these videos to audiences (Roose, 2019). While my trade press analysis demonstrated that the industry is interested in creating content that tells unique stories and serves marginalized audiences, it was dulled by the more than three to one ratio of articles explaining the strategic ways of controlling, marketing, and

monetizing them. Similarly, interview responses consisted of a similar tone, although many resembled a gamification approach, as if the audience had recently gained the upper hand, but that the industry team was strategizing a way to reverse that. As some executives put it:

- "With OTT, I suppose to get the best row,[6] you're trying to minimize the audience agency factor and just kind of force them into the next thing that's going to keep them around longer" (Content Marketer, personal communication, August 20, 2018).
- "I would think viewers have a lot of the control, but the viewers are also so fragmented themselves that we can't have an honest conversation" (Programming Strategist, personal communication, July 24, 2018).

This programming strategist's frustration stems from not being able to acquire a more complete perspective of audience feedback because they feel it is impossible to locate, listen, and collect data in every digital space where viewers may communicate. Thus, this person feels that if they cannot listen to everybody, they are incapable of understanding the audience as a unified whole because they know voices are being marginalized or ignored. Therefore, fragmentation zaps some of the audience's power because not everyone is granted an equal amount of agency by the industry.

- (The industry is) in a place of grabbing for the biggest market share, doing everything possible to onboard as many customers as possible and then technologically it's gonna move into a place where I think it's going to really try and control me (as a consumer) more than I can control it. (UX Designer, personal communication, August 15, 2018)
- The audiences' ability to say, "I'm in charge and I'm not coming to you, you gotta come to me," we talk about that. As a marketer, I feel a deeper respect for you as an individual. You may like Twitter, but not Facebook; you may watch news in the morning, but not at night; whatever it is that makes you a consumer, I gotta cater to that. There's no longer me saying, "Hey, we got the show, you want to watch it, you gotta watch it when I tell you to watch it." (…) Those days are over and obviously we're just better connected to them. People say anything on

[6] The term *row* used in this context refers to the way software application tiles or content selections are organized, both horizontally and vertically, within menus of OTT platforms. Content marketers covet rows above the fold because of the increased probability of audiences gravitating to it first.

social media, so we have a more clear picture of what's really on their minds. (Audience Development Executive, personal communication, July 19, 2018)

- "If you make great content, people will find it and it's not about marketing gimmicks…if the show is great…people will find it, people will write about it, people will talk about it" (Media Intelligence Executive, personal communication, July 31, 2018).

I found this quote to be particularly interesting because although it comes across as a bit anti-flow and taking a more organic approach to distributing content, this executive's perspective still firmly plants itself within the management strategies of flow. Content discovery relies heavily upon recommendation systems and in most cases, an aspect of the algorithms driving these systems is to promote what is popular. So within an attention economy, if so-called great content is posted, it will eventually benefit from recommendation algorithms, which is a content marketing tool used for exerting control over audience flow. For example, content that collects impressions at a rapid rate is more likely to get improved placement in recommended viewing options and thus, exponentially richer in attention. Additionally, saying that people will write and talk about it is again, an engagement strategy for flow. Writing and talking, if taken in a digital sense, could include commenting, re-posting, and sharing, resulting in audiences doing the work of marketers to benefit content discovery for the media company. Finally, I think there is an underlying naiveté to this comment because as great as it sounds to just "make great content," the costs associated with doing so pressure companies into, at the very least, earning that money back and then attempting to maximize as much additional revenue as possible.

A common theme that runs throughout these quotes is that the game is far from over. On the surface, the audience is credited for having a greater level of agency than they have had in the past, even giving the industry fits ("we can't have an honest

conversation"). But then a hint of counter strategy is revealed for regaining control, whether that is collecting intelligence through social media, getting the audience to market content by writing/talking about it, or by reducing agency and needing to "force them into the next thing." Having a game plan for controlling the audience is synonymous with strategies for managing flow. The term *strategy* was frequently used by both, interviewees and the trade press. This is not new, however, as controlling flow has been a key strategy since the birth of commercial television.

When a new technological innovation intersects with or potentially disrupts macro-level content flow, the industry has historically responded with a counter strategy as a way to restore the upper hand in the audience-industry power dynamic. These disruptions generally result in a new strategy and form of flow. For instance, the invention of the remote control in the mid-twentieth century shifted some agency to the audience as viewers could change the channel with very little effort. While the remote control device itself cannot directly alter UPFs, it can greatly impact audience flow because it makes it easier for viewers to switch between channels (thus perhaps exiting a flow in favor of a competitor's) without the hassle of getting up from a chair and walking over to the television set. History has demonstrated, however, that when audience flow is impacted by a new tactic on the part of the audience, it is directly met with a counter strategy by programmers involving content flow. In the case of the remote control, programmers needed to regain control over audience flow in order to prevent viewers from channel zapping. One such solution was the seamless transition strategy which entailed a new program starting immediately following another one in an attempt to prevent the viewer from changing channels (Eastman & Ferguson, 2009, p. 134). Later

inventions such as the video cassette recorder (VCR), on-screen guide, digital video recorder (DVR), on-demand programming, and attention-distracting mobile devices brought further challenges and disruptions to content flows. It would seem less than coincidental that the rise of live viewer participation programs such as ABC's *Dancing with the Stars*, NBC's *The Voice*, and Fox's *American Idol*, began appearing shortly after the release of the consumer DVR at the turn of the century. The traditional linear broadcasters are desperate for viewers to watch live programs so they can preserve appointment viewing and maximize the number of non-skippable advertisements while simultaneously enticing viewers to remain situated within their content flow to continue watching additional programs and network promotions. Interestingly, while the live voter programs can be attributed to programming executives' response to time-shifting technologies, they also demonstrated television's desire to get the audience directly involved in the micro-level flow of program content. This engagement in micro-level flows has seemingly spawned a renewed interest in product integration where the product or service being advertised is embedded directly inside the show's content. Integration is practically unavoidable for audiences and is something that so-called ad-free portals such as Netflix are embracing (Castillo, 2019). Just watch an episode of *Stranger Things* and try identifying all the sponsored product placement visible within the show.

The second screen experience is constructed around the notion of transforming UPFs from a one-way communication tool to a two-way social experience through a secondary digital device such as a tablet, laptop, or smartphone (Haywood, 2013). The Pew Research Center found that over half of all adult cell phone users utilize their mobile device for "engagement, diversion, or interaction" while watching television (Smith,

2012, para. 1). This has given the television industry reason to not only spread its content across digital spaces, but strategize ways to bring attention back to the screen that offers the most advertising value – the television set. Social television has been the result, encouraging viewers to use companion mobile applications while watching television (such as Twitter or Facebook) so they may participate in the live backchannel (Proulx & Shepatin, 2012). Strategies for this are two-fold. First, social television hopes to bring back a resurgence in appointment viewing, which means commercials cannot be skipped (Proulx & Shepatin, 2012). If audiences choose not to abide by this and would rather time-shift (skip commercials), they run the risk of punishment in a couple of ways. Fear of missing out (FOMO) refers to a social issue where people worry about missing a big moment or not being able to be part of a group that either witnessed something or were participants in. There is also the risk of seeing spoilers on social media, which could derail a time-shifted viewing experience. The second aspect of the social TV strategy involves the challenge for media companies to package online audiences into sellable commodities for advertisers because of audience fragmentation (Napoli, 2014, p. 133). Thus, driving audiences back to the traditional television screen improves the audience commodification process for the content's host. This is the industry's attempt to retain its hold over linear UPFs as the most profitable platform for advertising revenue (eMarketer, 2014). An additional benefit for the industry is collecting the data produced by online audiences as they use the second screen. This includes benefitting from free audience research, promotions, the creation of creative content, and the collection of personal data (Proulx & Shepatin, 2012). The most basic of these strategies is to superimpose hashtags over television content on the first screen, so that viewers can use their second screens to

follow audience activity and create content about the program on social media. This results in the potential for viewers to double as marketers, producers, influencers, and audience research participants.

It is interesting to observe television programmers attempting to leverage the same digital technologies that are disrupting their audience flow in a way that will enhance their UPFs. Live programming allows for a shared experience for the audience, with the ability to interact in a live and visibly public manner on social media, which displays viewers' demographics alongside their viewing preferences, opinions, activity, and friends/connections. A recent article in the *Hollywood Reporter* noted that content producers such as Netflix's Jenji Kohan (*Orange is the New Black*) lament releasing on-demand content that can be viewed at any time because it eliminates the shared experience for audiences and dilutes online feedback (Jarvey, 2015). This tends to be the case for most SVOD services, which bypass the traditional Nielsen ratings in favor of proprietary first-party data gathering that track audience data, thus obscuring behavioral trends and patterns from public view. Other media providers, such as MVPDs, may see part of these data from their own consumers, but it is never a complete picture, as a programming strategist explained,

> (The MVPD) came in and pitched us and they had incredible 100 percent (of their customers' viewing data), but it's expensive and it only uses one area. And again, it all comes down to sales. The sales (department) goes, and we say we have this great unit, 'That's great, you got me data for (a particular region of the country), what's that do for me? I'm not selling specific to (that region of the country), I'm selling to (a much larger area).' (Programming Strategist, personal communication, August 20, 2018)

Thus, the fragmentation of audiences translates to a fragmentation of third-party data that increases the value of first-party data gathering. I will go into greater detail about the measurement of flow in the next chapter.

If you have spent any time with SVOD portals, you may notice that they have largely adopted the linear programming strategies of seamlessness and doubling, where a video (in some cases the next episode of the same program) will automatically begin playing at the conclusion of the video currently playing. This auto-play feature has contributed to the audience practice commonly known as *binge viewing*. This activity implies that an audience is likely to park on one portal to dedicate attention to multiple episodes of a particular program for lengthy periods of time. The longer the viewer stays engaged, the better the chance for the development of brand loyalty or stickiness (Jenkins, Ford, & Green, 2013), which in turn helps the hosting portal solidify subscriptions and gather data to build a profile of the audience member, which then becomes a valuable commodity to advertisers and investors. According to research firm Deloitte (2016), 70 percent of Americans "binge watch an average of five episodes at a time" (para. 1). In 2019, Deloitte reported that "thirty-seven percent of U.S. millennials binge-watch every week, watching an average of four hours in a single sitting" (Deloitte, 2019, para. 3). Therefore, it is not surprising to find seamlessness and doubling strategies being deployed in OTT spaces.

Five primary themes emerged from the coding process and subsequent interpretive analysis of the trade journal articles and qualitative interviews conducted for this research. Four of the five themes are connected to strategies for managing flow: *marketing, content delivery, UX design,* and *engagement*, while the final theme concerns

the *separation of labor* within the industry. In the following sections, I will explore how each of these themes are approached by the industry and the implications they have for audiences.

Marketing

When it comes to marketing content, there appears to be few boundaries. Trade journals and interviewees provided insights into strategies you would expect (on-air promos) to some that were less expected (fabricating user-generated content (UGC) on social media). The main idea behind marketing is to create entry points or on-ramps for audiences to find media content. This network of audience flow highways can be simple or quite complex, depending on how/where the viewer enters the process and how many on-ramps are established by the media company and other users. An overwhelming majority of interviewees agreed that UPFs were the preferred destination for audiences because that is where the most revenue is generated concerning advertising and MVPD/VMVPD subscription fees; however, many also stressed the importance of having a presence pretty much everywhere else. A media intelligence researcher explained,

> Traditional television advertising, you know, 30-second spots, the old tried and true, which still work, they still drive massive amounts of awareness, they still drive huge reach, so we're using that and then we do a lot of on-air elements, so a lot of in-content promotions, things like that, and then obviously digital fare – banner ads and then six-second drop-in video ads, you know, mid-rolls in between content, and then a lot of targeted social and search opportunities there, so if we work with Facebook and we target someone as a (content) fan, we're going to flood them with (network) ads, download (the app), watch (the app)… so it's basically all manner of message. (personal communication, August 7, 2018)

The ultimate goal may be getting the viewer to the universally planned flow, but programmers are hedging their bets by providing a multitude of landing spots to access

content (and subsequently attempting to monetize it). Simply the use of the term "flood" demonstrates the competitive nature of attracting audiences, but begs the question, "Does anyone really want to be flooded with ads or promos?"

> One of the content marketers referred to this process as the conversion funnel: The top of the funnel which is bigger and broader, that's where you're reaching a whole mass of different people and then you ask them to do something next and the funnel gets narrower because fewer people will move to that next step and then fewer will move to the step after that and so funnels can have a very, a whole mess of different layers. (personal communication, August 20, 2018)

An example could be a Facebook user seeing a short video clip teasing a television show and then clicking on a link to visit that show's website, followed by accessing full episodes on a streaming platform, and finally by tuning into new episodes by accessing a universally planned flow through appointment viewing. By definition, a funnel is a device designed for controlling the flow of something – in this case, the audience. Once the audience enters the funnel, it is up to the marketers to move them through and persuade them to participate. But what may cause them to enter in the first place?

Social media was the most frequently mentioned tool for initiating audience flow, mostly because it is where so many Americans spend their time. Out of all the strategies mentioned for using it, there were two approaches that appeared most critical for audiences: offering content for free, and leveraging personal relationships and authenticity.

Free content.

> Another challenge in all this is this generation of digital natives. Too many of them believe all content wants to be free and I think that's a challenge. My own son is one of them, who I will not identify in this call by name, certainly been known to illegally stream all kinds of stuff whether it's sporting events or shows what have you. It's just too easy. I tell him not to do that, by the way, but at a

> certain level, it's kind of like that's the way people think about things and of course they are used to it. YouTube is free; all these things have been free. (Content Producer, personal communication, August 9, 2018)

Statements such as these were not uncommon throughout the interview process, and while I do not condone the act of stealing or hacking content behind a paywall, they demonstrate that many professionals see advertising-supported video (such as YouTube) as being free, despite the fact that audiences are monetizing it by paying for it with their attention. Since the most popular social media platforms are largely commercial, the strategy now being leveraged within the industry is to use social media as a vehicle for "free" (often times ad-supported) short form content to serve as an appetizer for its longer form counterpart. The sizzle of the short form is to entice users to first teach themselves about the program and then to take some kind of immediate action such as sharing it or commenting about it. These actions are to alert social connections – often times users' family, friends, colleagues, and acquaintances about the content. If successful, this second tier of sharing will translate into tertiary sharing within the funnel. Ultimately, the funnel is designed to conclude with users subscribing to a portal or tuning into a network's UPF – which will offer other content or promos for other content in addition to the one "free" piece of content that got them there in the first place. A recent example of this practice is with *Star Trek Discovery* on the CBS All Access portal. The first episode was released on the CBS broadcast network and teased across social media, with subsequent episodes locked behind a paid subscription on All Access (Zakarin, 2017). As one content distributor explained, "(Millennials) consider that part of a freebie, or free service, so whatever you put on the Internet, once you do your segmentation and your targeting, you try to cultivate that consumption…" (personal communication, August 16,

2018). Whether it is content available online or a broadcast network, by considering it free, industry professionals are discounting the concept of the audience commodity. If you consider the recent popular trend of product integration, even the supposed "commercial-free" SVOD platforms are making the audience pay twice, first with their wallets (subscription fees) and then with their attention (audience commodity).

Leveraging personal relationships and authenticity.

It is no secret that when users share content on social media, there is at least some level of influence involved when people see it. Chances are you will look at an article differently in your newsfeed depending on whether it is posted by your close friend or a complete stranger. This concept is not lost on content marketers and industry executives. However, the big shift has been to move away from influencers in favor of micro-influencers. The former are generally considered celebrities that have huge followings ranging from the hundreds of thousands to the millions, while the latter are considered everyday people that have anywhere between 10,000 and 500,000 followers (Wissman, 2018).

Several issues have arisen in recent years with influencers. First, marketers have become weary of low engagement rates, sometimes caused by bots (non-human followers) which falsely inflate an account's influence (Advertising Strategist, personal communication, August 11, 2018). Second, the level of trust between influencers and followers is not as strong as the trust between people who know each other on a personal level in the physical world (Wissman, 2018).

When sharing and posting content online, there are essentially two forms: organic and sponsored. Organic sharing is when someone sees a piece of content and posts or

shares it for their connections to see. Algorithmic delivery of content aside, organic sharing is meant to represent a user sharing something they genuinely find interesting and in which they want others to view or engage. Sponsored, on the other hand, means that the person or entity posting the content has been compensated in some material way to promote said content.

The Federal Trade Commission requires sponsored content to be identified as such so users can decipher between what is paid advertising and what is not. The *Guides Concerning Use of Endorsements and Testimonials in Advertising* within the Electronic Code of Federal Regulations (2019) states:

> When there exists a connection between the endorser and the seller of the advertised product that might materially affect the weight or credibility of the endorsement (*i.e.*, the connection is not reasonably expected by the audience), such connection must be fully disclosed. (Title 16, Chapter 1, Subchapter B, §255.5)

This notification typically requires some sort of clear indicator such as a sponsored hashtag or statement alerting users of its paid nature.

As one marketer explained,

> They're regular everyday people who are getting compensated by us…to do these posts and we provide guidelines for it…every agency or company that handles negotiations is basically like we run the idea through the influencer…like here's what we want to do… For example, if it is someone (with) under 50,000 followers, they might be getting literally two to three thousand dollars to get four to five social actions and of course (the actions) need to be approved by the brand team. (personal communication, August 11, 2018).

The marketer went on to explain that non-disclosure agreements (NDAs) are typically required and that the social actions are designed to look like organic posts rather than sponsored ones.

> Yeah, the FTC regulates that, but we always, we can always get around it, like we need to somehow call out at the beginning of a campaign that (the influencer) is

> partnering with us and that's how we avoid the hashtag-ad, hashtag-sponsor, because the reason why as a brand we always try to avoid that is simply because as soon as consumers see that, they know it's fake and they're not going to engage with it. But you just gotta be smart with it, how to get away with it. And I'll tell you something, in my (time) in advertising, I'll say 85 percent of the time we're working with influencers, we never needed to put hashtag-ad or hashtag-sponsor. We always find a way around it… I'm not saying what we did is illegal. It's simply there's ways to get around it. (personal communication, August 11, 2018)

The lack of transparency in this process corrupts the trust-based relationships influencers share with their followers and leaves them believing the content to be organic when it is not. This leads to followers being exploited (and duped) into sharing sponsored content or altering their behaviors to adopt certain content based on the status of their relationship with the influencer. The fact that the marketer who was interviewed confirmed that audiences will ignore sponsored posts tells us that at least some professionals know that authenticity is a powerful device in forming a trusting relationship.

The term *authentic* appeared moderately in articles and interviews, and is something that was associated as an ingredient for forming relationships with the audience. If authenticity is achieved, viewers are more likely to trust a brand, remain loyal to it, and recommend it to others. Furthermore, loyalty breeds predictability, which can stabilize subscriptions and content flows. However, just as with the lack of transparency in sponsored posts, there is another strategy that leverages authenticity.

User-generated content (UGC) is typically a form of audience labor that can allow for viewer self-expression, be a task that can help market program content, and/or actually become program content. As a tool, interviewees gave it mixed reviews, as one producer told me, "I just generally find the world of user-generated content an ocean of mostly shit" (personal communication, August 9, 2018). However, a programming

strategist took a more utilitarian approach to it, explaining that the authenticity of UGC can be leveraged through fabrication.

> We'll have our own producers create user-created content to try, you know, kind of create momentum. So if somebody sees it, and, "Oh, look, this person made this," thinking that it's actually a regular Joe Schmo and it's actually us. That's one way that we've tried it before. It doesn't always work because sometimes you can't fake, well, you can fake it, but you can always tell the difference between user-generated and something that's produced in-house. We try to make it choppy. (personal communication, July 24, 2018)

Fabricating authenticity indicates just how desperate the industry has become for attracting audiences to the conversion funnel. What is seemingly missing from marketing strategies is a code of ethics and unfortunately regulation does not appear equipped to handle the issue. But not everyone sees the onus being on the industry. As a programming strategist added:

> There may be fabricated influencers, but what I see are influencers that, they grow - I can't use the word organic, because it's all marketing - but they grow in hopes that someone will want to, you know, use their following, leverage their following. (personal communication, July 26, 2018)

This concept essentially exonerates the industry from any wrongdoing and relies on the argument that people are seeking attention in order to achieve celebrity status and to commodify their audience.

Another interviewee revealed that there is an entire professional industry that has blossomed for fabricating organic sharing and getting content to spread as far as possible in order to maximize the monetization possibilities. Jukin Media and VideoElephant, for example, are two such companies. According to Jukin's website, "We believe in user-generated videos. No form of entertainment is more pure or more engaging. That's why we've built a company powered entirely by UGC" (Jukin, 2019). VideoElephant adds:

> With our large and diverse library of premium content and our flexible delivery solutions, we are fueling the video ad industry. Our library contains 2,000,000 videos with over 2,500 new videos added each day. We're working with ad tech providers, publishers and advertisers that require brand-safe content at scale. (Video Elephant, 2019)

The process may begin with an organically created piece of UGC, but then these companies act like agents and will work to push the content out to as many eyeballs as possible in order to maximize the monetization of it through advertising. In order to achieve this, the content and activity must appear authentic, but there is nothing pure about it. In some cases, the creation of the video is well-planned in advance. Additionally, the eyeballs they do find sometimes lead to engagement, so that users aid these companies by spreading the video for them, thus prolonging audience flow.

And there lies the issue: the unknowing audience of followers who are being duped into working for these companies and supporting these fabricated efforts under false pretenses. What is at stake are the virtual relationships people forge online that, in many cases, stem from or extend to real-world relationships that are founded on trust and authenticity. The lack of transparency threatens to throw into question peoples' social norms and exploit the core of what connects us to one another. The once easily identifiable television commercial intended for a mass audience has been transformed into a personalized note, photo, or video sent to you from a friend or loved one who has taken the form of a pitchperson, unbeknownst to you, with whom you may sincerely trust in the physical world. In this reality, human relationships, along with peoples' attention, have become the commodities for sale and there is really no defense for telling what is organic and what is sponsored. This deception is being put to work in the name of

manipulating audience flow so that participants believe they are acting in a social role when they are really acting in a commercial one.

Content Delivery Strategy

The creation of OTT content libraries has put a great deal of stress on the television industry. The universally programmed flows of content are still where the bulk of profit is being made with digital portals a distant second (Media Intelligence Researcher, personal communication, July 31, 2018; Programming Strategist, personal communication, August 20, 2018). For a while, it seemed that broadcast and cable television networks were hesitant to make a full leap into the OTT sphere; however, as more and more young people gravitated to a digital-first approach, it forced their hand (Lafayette, 2019). This predicament has resulted in a myriad of strategies that are more experimental than standard in nature.

- Unless it's live, it's not going to survive on its own as a linear program with appointment viewing. There are no strategies anymore that are limited to that because it's a death sentence…not only are there cord cutters amongst younger folks, there are cord-nevers. (Communications Marketing Strategist, personal communication, July 28, 2018)
- We have this thing here we call the birthday cake crisis. So every day someone has a birthday and turns 55 and the advertisers don't care about them anymore. It used to be someone turned 55 and then someone also turned 24. The problem is they're not entering into the demo because they don't watch television at all. So the audience is eroding on television (and) our job in audience development is to find them on these other digital platforms…we're really chasing them down. (Audience Development Executive, personal communication, July 19, 2018)

This has created an environment where the industry feels compelled to spread content to every possible location digitally, while continuing to nurture their universally planned flows. However, just about everyone I interviewed said the UPF was the ideal destination to steer viewers, so then what is the reason for duplicating content on digital PPFs? A media intelligence executive responded, "It's just very hard to do that. It's very

hard for people to change platforms and to remember when a show is coming back on or program their DVR and it's just much easier said than done" (personal communication, July 31, 2018). This challenge of making UPF the preferred destination, but still maintaining an OTT presence has resulted in some interesting content strategies. In addition to the popular ones previously mentioned such as auto-play and leveraging live and interactive events for appointment viewing, data collection revealed other strategies that involved *vertical/horizontal integration*, *repurposing, authentication, OTT syndication & walled gardens*, and *UPF migration*.

Vertical/Horizontal Integration.

Analyses of both, articles and interview responses, credited/blamed Netflix for causing traditional media companies to shift into the OTT ecosystem, essentially forcing their hand to chase after the audience. In order to compete in Netflix's already established territory and rather novel business model, the media industry has chosen to respond by consolidating, arguing that Netflix's economic distribution model had turned the industry on its head. This has resulted in a flurry of vertical and horizontal mergers as media companies have rushed to get into the streaming business by bulking up their content libraries and taking ownership of distribution platforms and/or Internet service providers. I will go into much further detail about the regulatory nature of these mergers in chapter five, but here my goal is to discuss the strategic impact Netflix has had on the way media companies approach the distribution of content to construct flow.

> You have companies that are really playing by different sets of rules and a media company can be frustrating sometimes because a Netflix, for example, and I respect the heck out of Netflix, but they're playing by different rules. They can burn through cash, they can deficit spend like crazy and dump tens of billions of dollars into content and they're rewarded for it, right? It's like yeah, maybe they'll be in the black a little kind of, ah, but still it's the future, so Wall Street

> rewards them and I understand why. At the same time, you know, a public company like ours is judged under different parameters and when we go and spend money to lock up, let's say (a particular series) for (a number of) years, which is incredibly valuable and has paid off huge for us since the first couple of years of ad deals, we're immediately cut, dinged with uh, "They overpaid for rights." Nobody asks Netflix that, except they overpaid for *Stranger Things*, but people somehow posit that we're overpaying for (a particular series). We're not. (Media Intelligence Executive, personal communication, August 7, 2018)

Netflix founded its SVOD business on the backs of legacy media companies by licensing their content and offering it on-demand in an algorithmically driven, continuous PPF that quickly became effective in maintaining audience flow. When they vertically integrated and started to produce original content in a direct-to-consumer fashion, investors became bullish and it allowed Netflix to produce content similar to or better than the legacy media companies while charging customers less than what MVPDs charged for cable/satellite service and yet, still managing to pay a higher premium to acquire the content. So now audiences have access to a competitively priced personalized content flow, sans commercial breaks and situated within a dynamic UX design as compared to the more expensive universally programmed bundles of cable channels containing commercial breaks and tethered to a clunky set top box.

While this appears as a win-win for consumers, Netflix's vertical integration has come at a cost. Prior to vertically integrating, Netflix focused its efforts on a recommendation algorithm and UX design that was user-centric. As Napoli (2016) points out, Netflix was dedicated to delivering niche content in the long tail that otherwise could not find a home in traditional media outlets. Post-integration has seen this user-centric design wither, as it has become more economically beneficial for Netflix to favor its own content. Rather than serving subscribers' individual tastes or helping them discover niche content, Netflix appears satisfied in taking a page from the UPF playbook by

crafting algorithms that promote its originals, expensively licensed content, and/or content that subscribers may have already viewed. In her examination of search engines, Safiya Noble (2018) explains that algorithms are not neutral nor unbiased, but rather are operated by private companies with an agenda to deliver the most profitable results while maintaining the most advantageous power structure. This can suppress certain narratives or perpetuate stereotypes by only delivering results that companies or advertisers prescribe. The search and recommendation features on Netflix and other portals operate no differently and by doing so, can suppress independent content by limiting its discoverability in a manner similar to the ways in which legacy media networks have for decades primarily maintained a social representation of the status quo.

Netflix's disruption of UPF television can be attributed back to their vastly different business model. The creation of macro-level programming flows, such as UPFs, has traditionally operated on a deficit finance model where studios produce content at a deficit up front with the ability to capitalize upon it later via licensing rights (Lotz, 2017). The networks, on the other hand, pay a small percentage of the production costs to the studios to receive first-run rights, but only have a limited amount of time to monetize the content through the advertising they sell within the construction of the macro-level flow of the programming sequence (Lotz, 2017). Thus, this model limits what studios can produce or the risks they are willing to take because they are constantly operating at a deficit. There is also no guarantee to how much value a show will have after its first run on the network. Typically, it takes at least three seasons for a show to qualify for domestic syndication, at which time a studio can recoup the money it spent to initially produce the series (Edgerton, 2007, p. 392).

Netflix instead employs a cost-plus business model to creating content for its PPFs. Here, Netflix pays the studio 100 percent of the production costs up front, plus an additional 30 percent premium on those costs (Andreeva, 2019). Paying up front gives the studios an instant profit while providing Netflix the ability to capitalize off the show long-term in perpetuity. This provides investors with a continued plan for growth and allows Netflix to increase the size of its library at a much faster pace with practically no financial risk to studios. Therefore, Netflix's content flows are capable of being more diverse, varied, and refreshed than those offered by broadcast and cable entities.

Netflix's business model is not without limitations to flow, however. The 30 percent premium built onto the production costs of a single season of a program ends up truncating the number of seasons that Netflix can afford to produce because the premium increases for each additional season that a series is renewed (Andreeva, 2019). By the fourth or fifth season, Netflix is financially better off canceling a series, thus limiting the vertical flow of sequential episodes in which a viewer can consume. The deficit finance model works quite the opposite, where the longer a show can run, the greater the value both the studio and network will receive.

Increasing costs are not the only motivation for Netflix to end a series. In the PPF landscape, horizontal flow is preferred by OTT distributors, meaning that the breadth of a library is more valuable than the depth of a series (i.e., number of episodes). Whereas long-running series are capable of sustaining and anchoring UPFs for cable and broadcast networks, SVODs such as Netflix prefer a deep library featuring old and new content to immerse an audience flow for as long as possible (i.e., more titles to scroll through and discover). In other words, having a content library that is horizontally deep rather than

vertically deep is a strategy to sustaining memberships because it requires audiences to flow laterally from one title to the next and presents a greater appearance of diverse amounts of content without tying up resources in long-running series. This may explain the sudden rush for media companies to merge and why a record number of new series are being produced each year. If the network or portal (wholesaler) has a financial stake in the supplier (production studio) and retailer (means of distributing content to audiences), production costs can be minimized and libraries bulked up. Additionally, UPF content offerings are constrained by 24 hours in a day, so digital subchannels or spinoff networks (such as ESPN2, ESPN News, etc.) are required if a company wishes to expand its content inventory whereas a single portal can accommodate and exhibit a seemingly infinite number of titles.

Integration is a media distribution strategy designed to allow companies to own multiple levels of the media supply chain in order to control content creation and exhibition. Some executives I spoke with saw this as a positive: "Part of the merger benefits is by putting more (content) in one place. It makes it easier for people to discover (content)" (Programming Strategist, personal communication, September 12, 2018). But does centralizing content really make it easier for audiences to discover it? Take Comcast, for example. The parent company of NBCUniversal makes its streaming service Peacock free to subscribers of its MVPD service, but comes with a monthly cost to non-Comcast cable customers. This, of course, is an attempt to steer audiences to its own content, rather than that of competing services, while using their OTT platform to prop up its legacy cable distribution business. MVPDs, such as Comcast can also show preferential treatment to its media synergies by providing NBCUniversal-owned

networks with favorable channel placement on their UPF programming grids thanks to vertical integration allowing them to own both the content and the means of navigation and distribution. Second, horizontal integration typically provides more content choices for subscribers, but exclusively centralizes those choices under one entity, which may result in holding titles hostage, or limiting access to them, similar to the practice of bundling cable channels. (I discuss the strategy of repurposing in the following section.) By controlling different facets of the supply chain, integrated media companies can better control the distribution of content flows to audiences in OTT scenarios while also attempting to preserve their legacy UPF model.

Mergers can result in companies combining their data intelligence, money, and production resources (studio facilities, equipment, personnel, etc.).

> If consolidation in the short term means, "Oh, we're going to just have all of these efficiencies and get rid of X, Y, and Z." (…) I think that's one of the good things about working for a large corporation. So if consolidation means over time more resources to create content, that can be a good thing. (Content Producer, personal communication, August 9, 2018)

From an industry perspective, an increase in resources can improve working conditions for content creators; however, at what cost does this come to the creativity and diversity of micro-level content flows and their subsequent macro-level ones given that multiple levels of the supply chain are controlled by a monolithic ownership? When story pitches, plot writing, and casting are all being run through the same group of executives or stakeholders, there is a greater likelihood that the range of creative diversity will narrow.

- How creative can you really get if all the ideas, all these movies are coming from one place? How independent? What happened to creating an independent film? How about a B-level film? What happens to those? Do those just go away permanently or do they just live on a SVOD service? (Programming Strategist, personal communication, July 24, 2018)

- I think it's a terrible thing for a consumer because it will ultimately limit choice…on a television network side, their choices are being limited, but on the flipside, all of that is being driven by the downward pressure coming from Netflix, Hulu, Amazon, and the choices on there are exploding. So I guess I'll contradict myself, taking a step up, if you're looking at the overall landscape, there's never been more choice, but within specific verticals, I think those choices end up getting limited. (Content Marketer, personal communication, August 20, 2018)

This last quote is quite telling about the potential impact that can occur to macro- and micro-level flows post-integration. It is indeed a contradiction, because within the OTT environment, it appears as though viewing choices are increasing when in reality the landscape of macro-level flows is contracting and resulting in siloed content. In other words, all of these OTT platforms sprouting up give the impression of variety, but the content selections within them may be scarce, limiting the variety of options for PPFs. On the micro-level flow side, content subject matter runs the risk of being less diverse, not only ideologically, but in the selection and development of series. Bigger companies tend to take less financial risks, instead relying on steady, safe, and predictable content that will attract audience flow.

> Look, there's a reason why sequels do well. People want more of the things they love and that's great. I think it's not a bad thing to give someone more of a movie or a show they enjoy. So on the one hand, like, yes, from an artistic perspective, maybe, I'm feeling frustrated, but from a larger audience trove, I don't think that many people feel like, mistreated or underserved by this happening. (Audience Development Executive, personal communication, August 30, 2018)

This executive makes an interesting observation about micro-level content flows, claiming that audiences won't know the difference if they are not being served with new and innovative ideas. In other words, the strategies for attracting and maintaining audiences in micro- and macro-level flows are about predicting and exploiting their feelings for the benefit of maintaining an audience flow and not necessarily about

actually serving them something of substance (although admittedly these are not always mutually exclusive goals). This is reminiscent of former NBC executive Paul Klein's (1971) least objectionable program theory. Writing in the era of the big three broadcast networks, Klein posited that viewers settle to watch the least objectionable program on television, not because they want to, but because they just want to watch something. Therefore, they choose the least objectionable program to watch. This McLuhan-esque theory may apply to integration in this case, where it is possible that the same copy-cat content keeps getting served up, not because it satisfies audiences, but because they just want something to watch.

In the previous section of this chapter, I discussed the goal for media companies and marketers to establish trust relationships with audiences in order to help strengthen and support engagement strategies. That trust extends to the micro-level flows they consume. Consider a media company that creates and promotes content containing negative stereotypes, certain ethnicities in a negative light, or a politically charged agenda. If trust has been established between the media company and its audience, there is less of a chance that portions of the audience will critically question the legitimacy of the content they are being served. Some might, but certainly not everyone. Before the Sinclair-Tribune merger was nixed, an interviewee voiced a concern about media mergers compromising micro-level flows without the audience necessarily being aware of it and the frustration it can cause industry workers:

> You know the FCC has a lot of restrictions on broadcasters and it seems incongruent to have a company like (Sinclair) in so many markets with such a – I don't think I'm going out on a limb here to say – they have an agenda and it's a little scary. I have friends that work at Sinclair stations and it's tough. It's tough to be in the creative field and sort of being steered into a messaging strategy. (Audience Development Executive, personal communication, July 19, 2018)

This person was referring to Sinclair Broadcasting's conservative slant and its directive to mass produce specific ideological content for all of its local stations around the country under the guise of local production. Not only do mergers threaten creative freedom and content diversity, but there is also the possibility for coordinating ideologically driven agendas into the mix.

Ultimately, it would appear that the responsibility of media literacy falls on the audience to figure out what is taking place, but in the minds of the industry workers I spoke with, the industry lacks transparency:

- "At the end of the day, audiences, like I said, care about a good show and can't identify what network it's coming from…I think it's scary; there are going to be fewer large media companies out there" (Media Intelligence Executive, personal communication, July 31, 2018).
- You have tons of layoffs happening across the board because everything is consolidated and also I think you're a little fearful when (a particular company) owns like every major property right now. (…) It is scary because creativity is bred from diversity… It also means that you have this kind of constant change of the leadership where like, you don't know where your company mission overall is. (Audience Development Executive, personal communication, August 30, 2018)
- I'm not as anti-consolidation because you can really argue we've been there for a while. Have you ever looked at all the cable networks and who owns them? It's like three companies, or four companies in the end. And people are like, "Well, I'm really worried about consolidation." I'm like, "Meh, how can we (be)? You know, haven't we been there? Hasn't (a media company) owned 90 percent of what we're watching anyway?" (...) It doesn't bother me as much. (Programming Strategist, personal communication, August 20, 2018)

These responses speak to just how complacent and trusting people are with media mergers and acquisitions. HBO, with its original cable programming, proved to be steep competition to network broadcasters in the late 20th century similar to what Netflix has recently done with its original SVOD content. It is too early to tell how HBO's acquisition by AT&T will affect its content, but again, smaller, independent companies

tend to be nimbler and are generally willing to take bigger risks with creating micro-level content flows than larger, more established companies. Taking it a step further and speaking to macro-level flows, Netflix and YouTube have taken on the legacy UPF model by successfully luring audiences to interactive PPFs relying on recommendation systems. So while it is true that we have lived with a consolidated media industry for decades, it does not minimize the impact that innovators have been able to make on the industry, breaking the molds of micro- and macro-level flows. However, in each instance, one must consider the level of the barrier to entry for a new competitor to enter the marketplace. In the end, it is the audience that is ultimately affected, for better or worse, as portions may remain unaware of the ownership change behind the content flows they consume.

- "I don't think the consumer will be affected (by the mergers) …I think the only people who will be affected are the insiders, you know, people that work there" (Programming Strategist, personal communication, July 26, 2018).
- It is also true as a straight up fact that the market consolidation that happens, the more possibility that, as a consumer, your power erodes, right? Suddenly it's more expensive to pay for that subscription or to get that OTT app or to, so I'm not naïve (as a consumer), I understand that. (Content Producer, personal communication, August 9, 2018)

Both of these quotes speak to the possibility of an unknowing (and even naïve) audience. In the first quote, I would agree that industry workers are certainly impacted by mergers, where layoffs are the likely end result. But again, these can have a direct impact on the audience by affecting the way content is produced ideologically (micro-level flow) and limiting the ways in which it is sequenced or made accessible to audiences (macro-level flow). The latter quote compounds this by observing the loss of agency and higher pricing that consumers may face, which brings with it some irony. Just as OTT services such as Netflix and YouTube have made content flows more easily and cheaply

accessible to audiences on-demand, the subsequent fragmentation of content as it gets sliced up and doled out behind multiple subscription service paywalls could result in the industry outpricing audiences by fragmenting content across multiple subscription-based portals, such as Disney has done with Disney-Plus, ESPN-Plus, and Hulu.

Repurposing.

Arguably the most prevalent of the distribution strategies is the repurposing of content, which is baked directly into the production model of television. The traditional business model of deficit financing implies that costs will be recouped, and eventually profits reaped, by the production studios with the future repurposing of programming content after its initial run. In her study of media ownership in the late 20th and early 21st centuries, Chris (2006) observed that horizontally and vertically integrated media companies could maximize their synergistic partnerships by licensing their off-network syndicated content to their cable network siblings. Thus, the syndicated rerun became an important component to repurposing content to supplement a channel's flow or even to construct an entire cable channel with nothing but reruns.

Furthermore, Erdal (2009) observes that repurposing media content can also include mutations of that same content, as in journalistic convergence, when television news stories are repurposed using text, audio, and video on digital platforms. This closely aligns with one of Raymond Williams' (1975) fundamental concepts of flow: the promotion of content, which can include repurposing content into numerous microforms designed to whet the appetite of audiences and reach them outside of a program's primary location/airing. These microforms include, but are not limited to, cutting a short program or episode teaser, creating a meme or GIF with program content, or posting video clips

featuring excerpts of a program. The interactive capabilities of the Internet have made promotion a centerpiece of flow strategies because these microforms of content are typically malleable and spreadable, in which users can interact with them and perhaps even customize them. Media companies still typically want to exert some degree of control over these (something I will discuss later); however, repurposing content into microforms can serve as the gateway to entering content flows and induce engagement from audiences. Just like content, promotions are no longer confined to a UPF; media companies are adjusting their flow strategies by repurposing them onto digital platforms in new shapes and forms in order to try and lure audiences into a content flow.

To achieve this, the repurposing umbrella contains two key concepts: *versioning* and *windowing*. According to Calzada and Valletti (2012), versioning is the release of a new version of already existing content that expands the marketplace for said content, but also may cannibalize the previously existing versions. Windowing, on the other hand, is "the process of managing the release sequence for content so as to maximize the returns from intellectual property rights" (Doyle, 2016, p. 629). These two strategies are not mutually exclusive and are typically intertwined.

Traditionally, when a television show was first released in whole, it was exclusively available in a single location (such as a broadcast network) so the media company or distributor could maximize its value. Afterward, a new version of the content would be created (such as a syndicated rerun) and new windows would be sequenced, with each subsequent window seeing a decreased value per episode in say, syndication or home video. Additionally, the new syndicated version would likely be of lesser quality, whereas segments of the original program could be removed to make room

for additional commercials, audio may be dubbed over or silenced if dialogue was deemed inappropriate for a certain channel, dialogue could also be translated into a foreign language using the same dubbing principle, or the aspect ratio changed in the instances where a widescreen movie would need to be panned and scanned to fit the dimensions of analog television screens.

However, with the proliferation of digital platforms that make content available on-demand, combined with the media consolidation taking place, the sequencing of windows has seemingly collapsed, with different versions of the same content being released simultaneously when it presents the opportunity for media companies to maximize the value of the content. One digital broadcast engineer explained:

> Typical (OTT) release is, we have to get (the audience) the content by, say, midnight day of air. We don't want them to beat our linear broadcast, but the windows are collapsing to the point where (the programmers) can release it maybe after it's aired in Hawaii or in Guam. (personal communication, August 15, 2018)

Additionally, digital versioning provides an opportunity for user convenience where platforms can offer audiences a variety of choice in terms of different screen resolutions for data-conscious users, commercial break-free micro- and macro-level flows, and making content available on a plethora of digital devices. Likewise, not all windows will overlap. Exclusive windows still exist when it is monetarily beneficial to media companies, such as a broadcast network primetime show that airs within a UPF first before making its way to a PPF the following day.

Windowing essentially restricts an audience's access to a particular piece of content at a discriminatory price. The theory behind this is for a company to maintain control over its content flow in order to better dictate audience flow (and revenue) in an

OTT ecosystem commonly lauded for granting audiences agency. Windowing preserves the basic power structure of the industry by instructing audiences when and where they can watch something, thus controlling audience flow. As one programming strategist explained,

> Linear television still matters, but as a programmer and programming strategy as we do it, what we're looking at is how these windows are opening up and how we're going to program these windows, so we start off with the linear network and we program that and then we open the next window and that's the set top box VOD or our digital platform. Then we open the next window and it could be Netflix or Hulu or Amazon. At the same time, we could open it up to a syndication linear window where we sell some of our shows… so right now, scheduling sort of goes through these phases and that's how we are seeing programming – as small pieces of window that are helping our overall revenue tail and that tail is getting much longer because in the digital world, nothing ever goes away. (personal communication, September 12, 2018)

Thus, windowing represents a temporal flow and relies on technology and time to distribute content across different platforms. Time is the key factor here because it can lead to price discrimination as the same piece of content will carry varying values depending on where audiences wish to access it. Additionally, the sequential release of content can occur simultaneously, with multiple versions available on different platforms in cases where it is financially beneficial to the intellectual property rights holder.

Take NBCUniversal's comedy program, *The Office*, as an example. The show made its initial run on NBC in primetime from 2005-2013. As of this writing, the program can be accessed via commercial syndication on the free over-the-air NBC-owned diginet Cozi-TV, a MVPD subscription that offers COZI-TV or Comedy Central in its channel lineup, the purchase of DVDs, a pay-per-episode or pay-per-season VOD model through Amazon Prime, or a VOD Netflix monthly subscription. All of these windows are available simultaneously, but the versioning differs: the syndicated channel

airings are missing original segments from its micro-level flow in order to accommodate more commercials, while the SVOD micro-level flow versions contain no commercial breaks and most likely preserve the content in its original form. The same may hold true for the DVD version, although as I have witnessed in the past, original music scores or performances from television series may be cut due to copyright licensing costs, another example of versioning.

One of the glaring aspects of this repurposing scenario is that the lower cost option usually means the audience has to wait to access the content (appointment viewing), with the episode being selected by the programmer rather than the viewer, thus minimizing audience agency. Nielsen recently reported that *The Office* is the most-watched show on Netflix (Hayes, 2019), indicating that the price discrimination of windowing provides the greatest benefits to the most affluent audiences because they can afford to watch the episode they want, in whole, commercial-free, on any device, at a time convenient for them. Those that cannot afford the monthly subscription costs and wish to watch for free are relegated to waiting for the program to air, in its lesser quality syndicated version, with commercials, at a time specified by Cozi-TV with the network selecting a particular episode for that specific time. Therefore, the price discrimination model associated with windowing directly impacts the barriers of audience flow. For the convenience of a robust and flexible audience flow featuring the maximum quality version of content, audiences can expect a higher associated cost. For a restricted audience flow experience, where the audience has little to no agency consuming a minimal quality version of content, viewers can expect little to no cost. As for NBCUniversal, they are monetizing the program in every possible window through

versioning. Even in this scenario of free over-the-air access, the program is still being monetized through commercial subsidies, so the media company is benefitting from its repurposing even if the audience is partaking in a lesser quality (and more restricted) flow experience.

In addition to syndicated content, windowing strategies also allow media companies to price discriminate fresh program content by versioning it on one or more of their integrated platforms, depending on the best value scenario. A programming strategist explained how digital subscriptions can be incentivized on both, UPFs and PPFs, by slightly offsetting windows and versions:

> What we're doing is we're (digitally) launching the premiere episode of any season the (week) before linear airs, so it doesn't matter if it's a Sunday show or let's say Thursday show, we're going to launch it the (week) prior...you'll get it early, ad-free, and then what we're doing with the subsequent episode is we launch it (digitally) at 12:01 A.M. the day the linear airs...so you get it approximately a full day ahead of time. (personal communication, August 11, 2018)

These types of strategies discriminate against the most fervent fans because media companies know they are the most likely group of viewers willing to pay additional fees to access their favorite content on-demand, commercial break-free, and in advance of their traditional release – even if it is only hours earlier. It is also important to note that this type of windowing relies on two different versions of the content being released simultaneously – typically one with commercial insertions for the UPF via appointment viewing and one without for the PPF via on-demand viewing as an added incentive to make viewers pay an additional fee for access. This aligns with Calzada and Valletti's (2012) findings that media companies will release versions of the same content simultaneously, but contingent upon being imperfect substitutes for one another. This

can result in viewers actually paying twice for the same program because the PPF may only be accessible if the viewer already subscribes to the UFP. I discuss this practice further in the section on authentication strategy.

Cases where media companies will deploy sequential windowing without versioning seems to be when the value of a platform needs to be maintained or increased. As broadcasters and media companies jump into the OTT ecosystem, they need to give audiences a reason to subscribe to their new streaming offerings without cannibalizing their UPFs. Leveraging exclusive licensing deals, these companies avoid the worry of versioning content in multiple places. The process is literally the reverse of UPFs getting content exclusively before PPFs, as is the case with Hulu. With the program *Star Trek Discovery*, which is exclusively available on the SVOD CBS All Access, CBS reported a record number of new subscribers when the first few episodes of the series were released (D'Alessandro, 2017). Similarly, *The Mandalorian* is exclusively available on Disney-Plus; however, Disney elected to release new episodes weekly, rather than all at once (Whitten, 2019). This prevents fans from binge-viewing the season's new episodes and encourages viewers to renew subscriptions in anticipation of new content each week. This type of release schedule takes yet another page from the UPF playbook traditionally associated with cable and broadcast networks, a further indication that PPFs are resembling their UPF counterparts more and more in terms of audience control, while also providing media companies with an additional source of revenue.

With the proliferation of digital platforms, windowing and versioning content is a strategy being widely adopted by media companies and one that allows programmers to help preserve their UPF and/or attempt to increase the value of their PPF, but often times

come attached with discriminatory fees for audience access. The strategy is somewhat reminiscent of appointment viewing, where audiences are aware of when content becomes available (for example, 12:01 A.M.), but are also aware of a deadline by when it will no longer be accessible (thus, the temporality of flow with windowing). Netflix has demonstrated this with their monthly newsletters of what content is arriving and what is leaving, while the examples provided by interviewees are more geared to guiding viewers to certain locations for access to sustain audience flow (something they wish to dictate and control). Additionally, the strategy of releasing OTT content hours or days prior to its scheduling in a UPF may offer a subscriber a sense of self-importance and being a part of something bigger than oneself, which are strategies used within the engagement economy (McGonigal, 2008).

However, not all audiences obey the industry-assigned rules of windowing. Resistance in the forms of piracy and copyright infringements are not uncommon. Because of the ubiquity of mobile broadcast tools such as Periscope, YouTube, and Facebook Live, viewers can use their mobile devices to retransmit television content flows to digital audiences. This opening of another window and duplicating a temporal flow is considered piracy by the industry.

Live events are especially ripe for this type of scenario because their broadcast is especially temporal in terms of value and shared-experience of audience flow. The National Football League (NFL), for example, has an exclusive deal with DirecTV called the Sunday Ticket that includes every Sunday afternoon football game, including commercial breaks, starting at an annual subscription fee of approximately $300 dollars (DirecTV, 2020). The versioning of the games, in their entirety and bundled together, is

also exclusive to DirecTV, allowing subscribers to watch a selection of games via satellite or Internet distribution on a variety of digital devices (Spangler, 2019). Subscribers will receive a program guide as to which games will be on which channels via satellite. The channel is typically off-air up until the broadcast begins and then immediately shuts down again at the conclusion of the game broadcast. Even though broadcast networks such as Fox and CBS carry all of the Sunday afternoon games for free over-the-air, the NFL places restrictions on which games the networks can distribute to their local affiliates in a given domestic location. The only (legal) way around these temporal territorial windows is to subscribe to the exclusive Sunday Ticket.

But because of the enormous popularity of the games, users will either legally or illegally gain access to the broadcasts and act as a distributor to re-transmit the feeds of games online so any user in any location can skirt the territorial window and access the content. This can be done by pointing a camera at a television screen and live-streaming the content online or hacking into the network's live digital stream and re-transmitting it. When the macro-level flow of these games is duplicated and re-transmitted illegally through platforms such as YouTube, Facebook, and other websites, a take-down practice similar to whack-a-mole begins because the NFL wants to control the windowing and versioning of its flow to platforms where it can count viewers for ratings as well as set appropriate rates for charging advertisers (Shinal & Castillo, 2017). (The duplicate streams prevent audiences from being counted and essentially give advertisers free attention that they did not pay for.) However, as Sinnreich (2013) explains, copyright law was originally created to promote the sharing of ideas, and yet it is simply become a

mechanism for private companies to control the flow of information and stifle technological innovations.

Even in the NFL's example of exclusive windowing, the repurposing of content still occurs. Because sporting events are at their maximum value when they are occurring live, the NFL's window to exploit this value is quite small. Therefore, they have chosen to repurpose the games in only what can be described as a promotional microform simultaneous to the exclusive windowing deal with DirecTV, as well as the live, local broadcasts of games in viewers' local areas. To do this, the NFL launched their proprietary pay-cable channel, NFL RedZone, in 2009 (NFL Network, 2009). The channel, although ironically free of commercial breaks, essentially serves as a promotional and commercial vehicle for the NFL by delivering microform content featuring excerpts of the most exciting moments of game action – sometimes live and other times only moments after it happened - without letting viewers see much else of the broadcast. It airs during the entirety of the Sunday Ticket window and creates another revenue stream as MVPDs typically offer the channel in their higher-priced sports tier, which, through my personal experience, may also come attached with an additional monthly sports surcharge. This repurposing of live game content serves as a promotional tool for the NFL, while simultaneously exploiting the discriminatory pricing strategy of content that emanates from free, commercially supported over-the-air channels around the country. The less affluent football fans may only be able to afford access to the one or two games the NFL assigns to the free, over-the-air local broadcast channels in their area, resulting in a missed opportunity to watch the game of their choice live, despite the

fact that all the Sunday games are available for free territorially within the U.S. Yet another example of windowing's price discrimination restricting flow.

Authentication.

Authentication is a strategy within windowing that involves programmers attempting to control audience flow in the name of revenue and self-preservation. Mentioned in the trade press, but only in passing in the interviews, authentication is the practice of forcing consumers to pay for a network's UPF in order to be eligible to either access or pay an additional subscription fee to their OTT offering. Because UPFs generally rely on two forms of subsidies - advertising and cable/satellite MVPD subscriptions, with the former only materializing if the latter is present – networks want to make sure their UPF is at least on the menu for viewers, while MVPDs want to preserve their legacy bundled TV channel services. Thus, even if the UPF is not the viewer's first choice, this model of authentication continues to prop up the older model of linear programming.

This practice takes advantage of the fandom and emotional attachment audiences may have to a program where the content is being duplicated in both UPFs and OTT PPFs, where in many instances consumers cannot enjoy the PPF without paying for the UPF first, regardless if they use it or not. This tactic may result in three possible revenue sources for networks: advertising, MVPD/VMVPD subscription fees, and authenticated OTT subscription fees. Even in cases where an additional fee is not collected for access to the PPF, the customer is still forced to pay for the UPF bundle which likely contains channels they may not necessarily care about. This strategy helps preserve the video business of traditional cable and satellite MVPDs.

Additionally, virtual MVPDs may not even be eligible for attempting to authenticate access to cable network VOD applications. For instance, the cable network AMC is currently offered in VMVPD Sling's Orange bundle, but its OTT channel application that allows viewers to watch program episodes on-demand does not list Sling as a provider during the authentication process. Researching the frequently asked questions on AMC's website, I deduced that Sling is not an eligible TV provider because it does not participate in AMC's "full episode service" which grants subscribers access to OTT VOD content (AMC, 2019). However, perusing the list of authorized providers, I quickly noticed many of the traditional MVPDs such as Comcast, Verizon, AT&T, Cox, Altice, DirecTV, etc. are all participating providers. An interesting side note is that Charles Dolan is the executive chair of AMC Networks and also the founder of the MVPD Cablevision, which he sold to Altice in 2016. Although I am not privy to AMC's carriage negotiations, OTT authentication seems to be a bargaining chip that allows VMVPDs to offer UPF channel bundles at a lower cost than traditional MVPDs, but with the caveat of limiting access to PPFs. As a result, customers of Sling and other virtual MVPDs may very well find themselves at a disadvantage if they do not carefully read their terms of service agreement when purchasing an OTT streaming channel bundle. Whether an intentional inconvenience or not, this ultimately helps preserve the legacy TV bundle service of MVPDs that heavily favor UPF subscriber revenue. Furthermore, it deters consumers from subscribing to the often cheaper VMVPDs, which rely on MVPDs' Internet service, resulting in a cannibalization of its cable TV service.

OTT syndication & walled gardens.

Is Netflix a friend or foe to the traditional players within the television industry? It really depends on who you are asking. No other platform or media entity was mentioned more times in the interviews than Netflix.[7] It is clear that they have become the standard to what everything else is measured against in the OTT space. Some interviewees marveled at what they have accomplished, while others were skeptical if they would even be around several years from now. However, programmers all seemed to have an opinion about the strategy of using them, or OTT platforms like them, for syndication.

- (Network executives) saw (OTT syndication) as a must-have, as part of a comprehensive strategy to hedge against disruptive digital media pure-play and competitors. But at the same time, Netflix was generating tons of revenue for our home entertainment business. They were licensing all the DVDs and all that, and then they wanted to make the jump into streaming. You know, the studio was happy to license content to Netflix because it was incremental revenues, another outlet, right? And then (industry leaders) were saying, "Hey, Netflix is not our friend…all they're doing is building a moat." (Broadcast Engineer, personal communication, August 15, 2018)
- Ideally, someone here would say, "Well, we'll put up a show on Netflix, they'll catch up with that first season, and they'll fall in love with it, and then they'll tune into the new season on our networks." Theoretically, we would love that symbiotic relationship to happen. We'd sell one season of (a show) to Netflix, people will watch it, and then they'll come back season two, they'll pay us a boatload of money for those episodes, and we'll all live happily ever after. (Media Intelligence Executive, personal communication, July 31, 2018)
- (A program) actually went down in mean age for a (long running) show because a whole new generation of young women discovered it and binged (it) on Netflix and then came back to the linear network to watch the episodes as we're airing them. (Programming Strategist, personal communication, September 12, 2018)

Licensing a show to a 24-hour UPF is not the same as licensing it to an OTT library because the window of agency for audiences is so much greater with the latter. A cable network airing a syndicated show once or twice a day contains limitations for viewers,

[7] Netflix was mentioned 224 times during the interview process. Facebook was the next most-mentioned media company with 207 mentions.

such as episode selection, appointment viewing, scheduling a DVR recording, or dictating the device on which they can view it. However, in the OTT ecosystem, episode selection is up to the viewer; there is no forethought or planning required to access an episode, and in most cases, viewers can access content on any device of their choosing. So other than the portal to which the viewer must subscribe, the licensing entity has limited control over the way viewers discover and access the content.

But there is an added layer of challenge for rights holders because they may not necessarily control the design of the platform, the recommendation algorithm, or (in some cases) what priority their content is given. Additionally, streaming services such as Netflix, may refuse to divulge their audience data and ratings, leaving rights holders in the dark as to how a show is performing (Ng, 2019). They reap the licensing fee, but have now lost the exclusivity to that content and value for their own media properties while perhaps simultaneously increasing the value of a competing service.

Interview responses suggested that there is a limit to how many OTT services audiences are willing to subscribe. A media intelligence executive explained, “It all adds up and people are going to make their choices and they’re going to pick two, maybe three services and you just better hope that your service is one of them” (personal communication, July 31, 2018). Meanwhile, a programming strategist believes bundling will eventually prevail. “You have all these services that are going to come out, just like all the cable networks did and sooner or later you’re going to start bundling them” (personal communication, August 20, 2018). Because much of the OTT SVOD provider landscape is not presently bundled, and if you believe consumers have a limit to how many services they will buy, the a la carte availability makes it extremely competitive for

subscription dollars. This is why in June 2019, NBC made headlines when they outbid Netflix for *The Office* and announced they were pulling it from the portal in 2021 in favor of its own streaming service (Goldberg & Jarvey, 2019).

Unfortunately for consumers, this tug of war over content results in walled gardens where affordability and accessibility to content flows become concerns. Tentpole programs end up being held hostage in a streaming service that may contain other content of very little interest to subscribers. Instead of selling a program into syndication, networks and studios are preferring to hold onto their media properties for their own OTT libraries, or worse, locking content into vaults, preventing audiences from accessing it and eventually windowing it for financial gain or sustained subscriptions. It may also force audiences to lose access altogether or choose one over another if the number of gardens increase and the cost of subscription fees becomes exorbitant.

Placing a premium value on media content that proves popular with audiences feels antithetical to how audience data should be used. Media companies examine data based on audience demand as a strategy to get them to pay more for the content they love, bundle it with less popular content, create different versions of it, and/or control the windows of when and where they can access it. The result is a tighter grip for the industry for controlling audience flows and revenues.

Applying the term *bundle* to the OTT space may at first seem contradictory because so many standalone SVOD portals give the appearance of an a la carte media selection. A programming strategist explained to me,

> So when people talk about cord cutting, you go, "Great!" You spend $12 bucks for Netflix, $12 bucks for Prime, $12 bucks for Hulu, $12 for Apple, $12 for Disney…wouldn't it be great if you could bundle these? "Oh my God, that would

> be great." And I'm like, "Isn't that what you're always against?" (personal communication, August 20, 2018)

While audiences may have wanted to circumvent the bundled tiers of channels set up by their cable company and pay for only the channels they wanted a la carte, the bundling strategy is still prevalent within the OTT space and yet is increasingly mistaken for being a la carte. With traditional MVPDs, content is bundled through its association with channels. Customers purchase a bundle of channels (dictated by their MVPD) to access the content on those channels. This allows media ownership groups to force MVPDs into taking less popular channels along with their most popular ones. In the OTT space, many of the SVOD services are being offered a la carte, but it is their content that is still being bundled. If you want to watch a CBS/Viacom show, you will likely need to subscribe to CBS All Access. If you want to watch a Disney/Fox production, you will need to either subscribe to Hulu or Disney-Plus, as they have split their content to maximize revenues. And not all content appeals to subscribers; in many cases, SVOD services may only have a handful of titles that are attractive to a subscriber, thus resembling the channel bundles and tiers of MVPDs. Thus, SVODs have assumed the role of the TV channel bundles and consumers can decide which tiers to purchase – the Netflix tier, Hulu tier, etc. The difference lies in the way the bundled world is being marketed to consumers as an agentic form of a la carte.

Thus, bundling OTT content within a particular portal extends the industry's control over the way content flows are structured and accessed by audiences. This prevents viewers from accessing only the content they want and instead offering access to an entire library at an otherwise higher price. Furthermore, audiences can only access content that a particular portal offers, so if a viewer is interested in two particular

programs, but they are each exclusively available on separate portals, then the viewer must subscribe to both, which is a very similar practice to how consumers have traditionally selected channel bundles from a MVPD.

Apple TV has attempted to resolve this issue by bundling together OTT content from competing services to serve as a central hub for audiences to access content. However, Netflix has been one of the prominent portals refusing to integrate their content for a few reasons (Lee, 2019a). One, Netflix wants its audience to consume content within its application so that it can control audience flow using its recommendation system, but also control audience flow by not losing viewers to competitors' content. Second, the company does not want to relinquish valuable first-party audience data to Apple. And third, Netflix does not want to run the risk of viewers mistaking its content as a product of Apple, thus possibly weakening its brand value. Walled gardens are therefore the fortress of the OTT landscape that insulate media companies in exerting the most control over both, content and audience flows.

UPF Migration.

Programmers have learned that it is difficult for audiences to exit OTT portals once they enter. As a media intelligence executive noted:

> In that OTT environment, the whole notion of app flipping is absent like channel flipping was in a traditional environment. So the difficult thing is getting people into your app, right? (…) Once you're in the app, just as a consumer, it's a real pain to get out of the app and go check something else. (personal communication, August 7, 2018)

This statement illustrates the evolution of how the OTT environment is viewed from those primarily working with UPFs and strengthens the argument that managing flow is really about exerting control over audiences. At first, OTT was seen as a threat to UPFs

and their ad revenue, but as this quote indicates, OTT is now being embraced because of its noticeable stickiness resulting from the higher level of difficulty for audiences to exit and seek out a competitor. This can be for a number of reasons, but seems likely due to latency in software applications as well as the number of navigation steps (and time) it takes to exit out of one app and enter into another. There is also an argument to be made that audiences are just overwhelmed with choices within OTT applications and therefore, leaving one portal to dedicate more time to searching another library may seem unappealing. Therefore, some industry players are beginning to think of ways of leveraging this to their advantage.

Because UPF is still the big profit center for programmers, but cord-cutting and the success of SVODs such as Netflix have forced their hand to expand to OTT, an attempt at self-preservation through financial security has involved migrating UPFs to the PPFs of the digital realm. A programming strategist explains,

> Almost think of it as like, try to make (OTT) as similar to a linear stream once (the viewers) are in it as possible. It's funny, right? You've got this on-demand world where typically your customers, you have to seek out that piece of content to really watch it…but kind of once they're in there and once that stream is going, then we can start manipulating a little bit as far as what you get next. (personal communication, August 11, 2018)

Auto-play and other traditional linear strategies for UPFs certainly come into play here, but by giving PPFs many of the same characteristics of UPFs, the programmers are attempting to retrain the audience (or teach cord-nevers) to accept the traditional sense of linear television. Furthermore, consider the large number of UPFs that are now being licensed to VMPVDs, such as Hulu Live or YouTube Live. This bundling of OTT and traditional UPFs demonstrates the industry's priority to keeping their primary financial model alive, while still enjoying the additional benefits of residing in the OTT space. A

programming strategist stated, "You need OTT, you need SVOD, you need VMPVDs, you need to put your eggs into multiple baskets because whatever you have lost from linear, you have to be able to make it up on the other platforms" (personal communication, July 24, 2018).

Unlike an MVPD's offering of UPFs where audiences can use their remote control to flex their agentic muscles and channel flip, programmers now have the advantage of leveraging the OTT ecosystem where they have migrated and attempt to preserve their financially beneficial UPFs while simultaneously weakening the audience's channel flipping tactics and hoping that inertia sets in. So while the possibility for audience agency still exists in OTT, UPF migration is an industry strategy aimed at disarming the audience from using it. The strategy is defended as almost a requirement for survival as stated by an audience development executive:

> Five years ago we wanted everyone to watch live (UPFs) and we never would have promoted this, but now, now that we're in… those OTT platforms, we are actually promoting the fact that you can find us there. It's really become an acknowledgement. It got to the point where the broadcasters had to acknowledge that this stuff is happening and we've got to play in that space. (personal communication, July 19, 2018)

So the high concept here is that audiences left linear UPFs to enjoy the agency and freedom afforded by OTT libraries, but now the industry is attempting to recapture that space and appropriate content with their UPF strategies. A MVPD's VOD platform typically disables the fast forward function during pre-roll or mid-roll commercial breaks, thus allowing the industry to regain a certain level of control that was otherwise lost with the introduction of the DVR. A programming strategist observed:

> At the end of the day, the people that are running (OTT platforms), they're all TV guys; they're all just shifting what linear used to do in different ways for social

> and online. Nothing really changes. It's not really changing that much. (personal communication, July 24, 2018)

In other words, watching the traditional linear UPFs take less effort on the part of the audience, is easier to navigate and channel flip, and generally consumes less time.

UX Design

User experience (UX) design is a topic that did not surface during the trade journal articles analysis, but came up considerably during the interviews. Particularly with programming strategists and persons working within the digital arena of content, UX design emerged as a major component to managing flow. This prompted me to include interviews with designers working in OTT spaces for this research. Asked about the role of design within OTT media flows, one designer replied:

> Whether it's Hulu, or Netflix, or Amazon, or whatever provider you have, you just have this tremendous library of content to traverse in order to find something you want to watch. That's a much bigger problem of say, that all of OTT companies are dealing with. (personal communication, August 15, 2018)

The designers of OTT platforms appear trapped between the industry-audience binary. On one hand, the industry is their employer; on the other hand, designers are supposed to be working for the audience. In what is referred to as user-centered design, audience behavior is tracked and analyzed for patterns so that designers can create better experiences for users navigating a portal's library of content or a content aggregator's platform. "As a UX designer, your number one intention is to serve the customer and create experiences that support the customers' needs," said a designer (personal communication, August 22, 2018).

However, even user-centered design does not necessarily cater to one individual's needs, but rather aims to appease a majority of users based on popular patterns of

behavior. An example of user-centered design that was provided in an interview consisted of adding a watch list to an OTT portal. The designer noticed that a majority of users kept referring back to their history tabs or needing to conduct a search every time they wanted to continue watching content in which they had previously engaged. The designer explained that creating a watch list would streamline the process and enhance the user experience.

> That was a decision made by two or three people inside of a couple of days. It wasn't that much of a strategic move, but, "Hey, this looks like an opportunity for us and it looks like a gap in the experience and we could probably streamline it." (personal communication, August 15, 2018)

Although I think this is a good example of user-centered design, I disagree that the move was not strategic. Making a move that will enhance a user's experience is designed to keep the user engaged longer, which, in theory, strengthens their loyalty and improves audience flow, which then leads to a better chance of renewing subscriptions and generating more advertising revenue. So strategy is still a big piece of UX design, even if it is user-centered on the surface.

Where user-centered design could potentially become compromised is when the designer's employment to the industry, or portal, is concerned. While user-centered design is generally considered pull media, UX design is largely choosing to rely on push media instead. Webster (2014) differentiates between the two by associating *push* with conventional television serving content to audiences and *pull* with digital technologies allowing users to select which content they want. Webster notices that the old notion of push is actually being utilized quite often beneath the surface of audience consciousness in forms of targeted advertising, recommendation software, and policy changes (pp. 138-9) – all of which often go unnoticed by users (p. 144).

In other words, television's ideology has not changed at all, only the technological means of producing it has. Plenty of trade journal articles trumpeted the personalization power of the almighty algorithm and how platforms were leveraging these to serve users content that is personally curated just for them. However, a designer explained that it is not that cut and dry:

> I would say that content has its own priorities. And sometimes (it's) regardless of whether or not the audience wants to consume something. As an example, originals get prioritized because (my company) wants people to watch them whether or not they were expecting to watch them. And another example, is if (my company) just acquired a license to a show for say, half a billion dollars or something like that, again, that show will get advertised quite a bit to get people. They'll see it more and more whether they want to or not. (personal communication, August 15, 2018)

Vertical integration has led OTT portals to re-prioritize the way their recommendation systems serve content to audiences and, according to Napoli (2016), has been one of the leading factors in the decline of the OTT long tail. The concept of the long tail, as it applies here, focuses on digital's ability to serve a wide variety of niche content to audiences where the physical restraints of retail space could never accommodate such a wide selection (Anderson, 2006; see also Napoli, 2016). And while OTT companies such as Netflix started out curating content this way, the emerging trend is for vertically integrated media companies, including Netflix, to now steer audiences to proprietary original content or expensively licensed programs, regardless of their interests or viewing patterns. The goal of recommendation systems is thus inverted to craft an audience flow around popular or proprietary content located in the head rather than the unaffiliated niche content existing in the long tail (Napoli, 2016). Additionally, vertical integration can diminish the incentives for a media company to license its proprietary content to other platforms because there is greater value in using it as a tentpole strategy

to attract and maintain subscribers as well as steer them to discover other content within their own OTT portal. This results in popular and proprietary content being separated into walled gardens and bundled with other content that audiences may find undesirable. As a result, the notion of recommendation systems personalizing content flows to audiences has become more of a myth than a reality amidst OTT portals prioritizing their own business interests.

In cases where finances dictate how a portal's design operates and content is not really tailored to our wants or needs, the user-centered design approach of recommendation systems is transformed into more of a traditional television promo role, which is one of the key ingredients of macro-level flows, as outlined by Raymond Williams (1975). The role of the promo is to get viewers to notice a certain piece of content on a channel or portal in hopes of persuading them to watch it later. Just as programmers insert promos into UPFs, UX designers insert them into PPFs, by placing them on title card splash screens, within top rows of library content, shaping them as recommended matches to viewers' personal interests, featuring them in pre-rolls, or inserting them into auto-plays.

It may feel that these design strategies have limited power because there are so many alternative choices for viewers inside many of the most popular portals; however, a media intelligence executive stated otherwise:

> The frustration (viewers) have of the OTT environment is that it's labor intensive for them and that's why some of the services have honed their algorithm…because then they just kind of serve up a smattering of content. If one of them looks appealing, then that's just kind of what (viewers) go for ... "I'm freaking out because at least for the last week, I've always had something to put on and now I've got to make another choice and it's daunting me." …There's a very real burnout that happens in the OTT world. (personal communication, July 19, 2018)

With the traditional model of UPFs, the myth has long been that audiences are active and desire autonomy from industry-controlled programming structures. However, what is emerging from this research is that audiences have become complicit in the way content flows have evolved within OTT landscapes, acknowledging that it is more work than they might be willing to do. The combination of an algorithm delivering content (whether personalized for the user or prioritized by the portal) and an overwhelming library consisting of thousands of titles, seemingly shifts some agency away from the user, simply because it is too labor intensive. The industry therefore hopes that users will go to some of the low hanging fruit they first see instead of conducting their own research, which is very much in line with the way traditional UPFs function.

Choices can get even more overwhelming for users when a portal's PPF is combined with an OTT UPF. As a designer explained:

> So now there's this challenge of organizing content between live and library, especially if there is overlapping content and some, for instance, if I'm on (a portal) and I'm paying for the full service, which means I get live television as well as all the library content…and I go to watch live television and it's serving me up let's just say a movie that I like and that movie happens to be in my library as well that I could watch ad-free. Well, do we (as designers) then promote that or not, right? So that becomes a little bit of a philosophical-slash-business conversation around do we want people to continue watching the live content with the advertisements in it…or do we want them to switch to the library and watch it there with no ads? (personal communication, August 15, 2018)

This example of versioning shines light on the tensions between UX design, industry revenue, and user-centered design. The designer simply taking pause to ponder the question presented above is enough to demonstrate that in OTT spaces, UX design is not strictly there to serve the audience, but is likely to be prioritizing other parties above it. If watching the movie with commercials is more advantageous to the platform, then UX

design will likely work to point search results and recommendation algorithms to that version, rather than serve up another version. This aids the platform in steering audience flow to the content it deems most desirable, rather than actually working on behalf of audiences' best interests.

To accurately put into perspective the way the industry is controlling flow even in seemingly agentic spaces is to look to Foucault's (2000) theory of governmentality and surveillance. As Andrejevic (2011) acknowledged, this activity cannot be forced, but rather disguised as free choice (p. 283). Whereas user-centered design uses data collection as a form of surveillance to enhance user experiences, UX design works on behalf of the industry to leverage that surveillance for maximizing revenue and maintaining audience flow. As a media UX designer observed,

> If you can get (the audience) to watch for another minute, they will get hooked on another show and that information could be somewhat disturbing because in our world, in my world as a designer, my objective is to empathize with the people and to build in optimization. But when you look at data like that and you all of a sudden as a business, you're sitting around this piece of information that you know that ok, we gotta get, we want people to watch more shows. How do we get them to watch more shows? Ok, well, another minute of content or it's another episode, right? So what you just described as essentially a rehash of the linear programming flow, the binge-watching idea of getting you to watch another episode or a few minutes of another episode is something that is not just top of mind, but a priority in the business. (personal communication, August 15, 2018)

Interactive content flows are marketed to individuals on the perception that their actions are free and voluntary, but necessary to track in order to deliver them the best possible user experience. In reality, the industry wants to maximize the value of data collected and very carefully design the boundaries of this so-called free choice. This is why I coined the term *personalized planned flow* (PPF). Reliance on an algorithm to nudge viewers to certain content can actually be quite limiting.

> I do think that the dark side of the algorithm is that it so perfectly, so to speak, refines your taste, that you don't get exposed to anything that's necessarily surprising, right? You just go further and further into the, whatever echo chamber we're living in. (Media Intelligence Executive, personal communication, August 7, 2018)

YouTube is a prime example of this. The video sharing site deploys a recommendation system to capitalize upon the key factors of continuance motivations for users, such as interactivity, reciprocity, and sharing (Chiang and Hsiao, 2015). Recommendations are designed to promote a social feedback loop that results in stickiness, whereby users predictably return to a site for prolonged periods of time to share and discover content. This is further strengthened with the implementation of an auto-play feature UX designers use to transform a PPF into more of an automated UPF whereby any agency to change or alter it must be initiated by the viewer themselves rather than being offered as an obvious choice by the portal. Otherwise, inertia can set it, which can take viewers deeper into the echo chamber, which is exactly what has occurred with YouTube.

Algorithms used in recommendation systems are rarely static objects and are constantly being refined, manipulated, and optimized (Cohn, 2016). In addition to the criteria previously discussed, Netflix's recommendation system also uses time of day to determine the content offerings to a user (Netflix, 2020; Burgess, 2018). For flow, this means that Netflix will likely recommend different content to users at different times of the day – similar to the dayparts that are a hallmark of traditional programming flows of broadcast and cable television. However, instead of only offering up one choice via a channel's feed, Netflix is providing a wider array of choice, resulting in a controlled interactive flow.

The interesting characteristic about algorithms is that they are highly proprietary, secretive, and constantly being optimized based on audience behavioral patterns, which challenges industry professionals who market content to keep pace, but puts the audience at a disadvantage from knowing what is going on behind the scenes. Staying with our YouTube example, an audience development strategist who oversees their company's YouTube channel explained it this way:

> YouTube's algorithm which is constantly changing (and) is primarily focused on watch time. (…) What's happening is if you spend five minutes on (one channel) and 20 minutes on (another channel), all 25 minutes of that time will be put towards the (channel with the most time spent watching). (personal communication, August 30, 2018)

Algorithms on content aggregator platforms such as YouTube work to steer audiences through a flow designed to benefit YouTube and not necessarily the media company posting the content. Thus, media strategists must attempt to game the algorithm to keep audiences engaging with their content whereas the aggregator wants the audience to explore their entire platform. In the end, it's the audience that gets caught in the middle of a struggle between these two entities, once again limiting their agency and keeping them in the dark as to how their behavior is being manipulated.

Engagement

As the strategies discussed in this chapter are put into motion within the industry, their success is dependent upon the audience's level of engagement. To achieve this, the industry needs to maintain a level of control over audience flows to ensure that they not only find the preferred content, but that they become loyal consumers of it. As has hopefully been demonstrated, the industry has a number of strategies for controlling, both content and audiences, within macro-level flows. However, management strategies are

also implemented on the micro-level. Authors have theorized that control through governmentality is not achieved by force, but through self-determination (Lemke, 2001; Foucault, 2000; Deleuze, 1992). Therefore, the success of UPFs, audience flows, and PPFs all rely on some form of audiences *wanting* to participate.

When it comes to prosumption and value co-creation, the rhetoric of serving consumers' needs, convenience, and freedom is necessary to achieve engagement, which precedes revenue (Zwick, Bonsu, & Darmody, 2008, p. 185). By directly attempting to involve the consumer in the flow process, either through the creation of a PPF or media content, a relationship is formed and consumers are meant to feel empowered so that they can customize a product for themselves or at the very least have a voice in the process. In television, participatory activities such as voting, creating UGC, sharing with others, or selecting choices in interactive films such as Netflix's *Bandersnatch* encourage this feeling of empowerment through self-determination, but also in social media spaces where programs can engage audiences in content external to the main piece of media using mechanisms such as games, contests, fan challenges, and discussions.

Although an examination of engagement strategies falls more within the school of cultural studies than that of political economy, it aligns with Raymond's Williams' (1975) original textual analysis of flow and I think is necessary to include here in order to paint a more complete picture. Engagement becomes the culmination of everything discussed thus far in this chapter and according to Jane McGonigal (2008), relies heavily upon leveraging human emotion. For it is the personalization of content that drives an emotive response in users to coax them into participating. This works on both, macro- and micro-level flows. As an audience development strategist explained,

> For example, like, "only Harry Potter lovers could get a 100 on this quiz," which is incredibly a clickbait title, which is not only of use, but what that does is that it says, "Hey, you are special because you're a Harry Potter lover." Like only you could possibly do this thing and so even though obviously Harry Potter is one of the biggest franchises and books of all time, and has actually a really large audience, it's making you feel special because it says you're part of this smaller group and I think that's kind of more the personalization that is happening. (personal communication, August 30, 2018)

A large percentage of interviewees discussed cultivating fandom to drive engagement because fans, who are deeply invested in the characters and stories within content, are more likely to take action and create, share, or promote content online. A content marketer remarked:

> My philosophy is that all efforts are best used to build fans than to just build audience, so fans are people who will be easier to engage with and connect with the next time you try to get to them. (personal communication, August 20, 2018)

This creates a class structure perspective of the audience where those deemed more desirable by the industry are either placed at greater risk for exploitation through free labor, or might receive compensation unbeknownst to their followers in an attempt to exploit them. A communication strategist adds, "So what we do is we actually focus a tremendous amount of resources on a handful of accounts that we consider strategic and that we want that loyalty from" (personal communication, July 20, 2018). Take, for instance, AMC Network's *The Walking Dead*. The network promotes to audiences a website and software application called *Dead Yourself*. Using digital photos, the app allows you to transform people into zombies. On the surface, this can be seen as empowering and involving viewers in the content of the program. Additionally, viewers can share these photos through social media to gain the attention of others and provide a marketing service for *The Walking Dead*. Now imagine if AMC was paying or giving

some advantage to influencers or micro-influencers to participate in this as was previously discussed as a marketing strategy.

Building fandoms and exploiting human emotion can pay a company great dividends by initiating attention to a specific media property. Moreover, beyond this surface rhetoric, companies and strategists are gaining a lot of personal and behavioral data about users, which is both profitable for advertisers and third parties as well as useful for designers, so the companies can continue to optimize their media properties and maintain a constant cycle of nurturing loyal fans.

Separation of Labor

When Marx (1844) posed the question, "How could the worker come to face the product of his activity as a stranger, were it not that in the very act of production he was estranging himself from himself?" (XXIII, para. 9), he was alluding to the alienation that occurs in capitalist production when the worker has no control over how the production process is organized or laid out. This alienation of labor separates the worker from the final product and strips them from having any ownership to the means of producing the product.

You may be wondering how this applies to flow. An interesting theme that emerged from conducting the interviews was the observation of the separation of labor that occurs within the television and media industry. Not only did interview responses open my eyes to just how vast the industry is, but just about every interviewee at some point was unable to answer a question or took onus off themselves because it was not part of their job function.

This could potentially create a tension between the purpose for constructing televisual flows and the results they actually achieve, especially when it comes to impacting audiences. For example, if a programming strategist wants audiences to creatively engage with program content, but does not understand their legal department's tough stance on copyright, then the purpose of that flow is potentially compromised. Likewise, if UX designers encourage audiences to customize profiles and playlists with personal information, but are unaware of the platform's privacy protections, their intentions for improving audience flow might be instead placing the audience at a security risk. The separation of labor prevents even the highest level executives from fully understanding the process of constructing flows, so that no one can be sure that the original intent behind the creation of content or audience flow is achieving its maximum potential of serving audiences, especially since we know that business interests are usually prioritized over audiences. Below are some exemplar quotes:

- "I do not have that power. There's teams of copyright lawyers and piracy lawyers that work on this stuff" (Programming Strategist, personal communication, September 12, 2018).
- "It's typically the office of our general counsel, so we've got a very strong chief privacy officer" (Broadcast Engineer, personal communication, August 24, 2018).
- "No, I don't really deal with security" (UX Designer, personal communication, August 22, 2018).
- "That runs through our ad products team, so I couldn't tell you" (Programming Strategist, personal communication, August 11, 2018).
- "Would the CEO want it that way? Probably not. (They'd) want whatever is most precise, but ultimately, (they're) not the one who has that knowledge" (Content Marketing Executive, personal communication, August 20, 2018).
- "Research comes in and then kind of gets put into a drawer and no one knows what to do with it" (Audience Development Strategist, personal communication, August 30, 2018).
- "You can't survive with a social media coordinator now. You need a dedicated team…there's a director of fan engagement" (Communications Strategist, personal communication, July 28, 2018).
- "A lot of general managers and news directors don't want to hear that because they just always looked at the creative services/audience development V.P. and

say, 'Figure it out!'" (Audience Development Strategist, personal communication, July 19, 2018).

- That's where we can define skills levels…You have the sales team looking at different things, you have marketing, you have the customer care team, and then you have the content team …you need to make sure that everybody's working for each other. (Content Distributor, personal communication, August 16, 2018)

During the course of the interviews, some participants answered questions as an industry professional while others chose to address certain questions as a private citizen/consumer. What became apparent is that their professional selves were not always working for their private selves' best interest. There were instances during the interview process where the participant would give me two responses – one as a professional and a different one as a consumer – and often times they each contradicted one another. Additionally, as some of the quotes above demonstrate, there were instances where questions couldn't be answered because the participant did not possess knowledge of a particular process.

The separation of labor is so great, especially at large corporations, that it is difficult to fairly leverage criticism in any one direction. I do not doubt that the programming strategists I spoke with truly want to serve the audience or that the UX designers with whom I spoke aim to produce user-centered designs. However, as Marx (1844) aptly points out, the separation of labor results in a final product that is alienated from the worker. A marketer is not aware of their companies' data security procedures, a content distributor is unaware of the content production process, or a producer has no idea if strategies for fan engagement violate copyright law; these are all examples of the alienation of labor. The people who participated in this research all expressed concern for serving the audience, but in most cases were unable to see the full effect of their work within the final product. Let us not also forget that workers are typically in a position where their employer demands certain results be delivered. In some cases, this leads to a

priority of not the audience, but rather self-preservation. As Marx (1844) summarized, "The external character of labor for the worker appears in the fact that it is not his own, but someone else's, that it does not belong to him, that in it he belongs, not to himself, but to another" (Marx, XIII Para. 11). Marx viewed the worker as a powerless cog in a bigger machine that dictates the production process and alienates the worker not only from their labor, but from the final product. Thus, if workers are separated from the flows their companies construct, then how are they capable of fully being able to serve the audience – especially in a business that prioritizes revenue and stakeholders first?

Macro-level content flows deploy a wide array of traditional and digital technologies and strategies to steer audiences to and through their respective flows in attempts to keep them engaged for as long as possible, collect behavioral data, and continually optimize the experience. However, each content flow is inherently different: the *universally planned flow (UPF)* of scheduling content versus the *personalized planned flow (PPF)* of catalogs deliver uniquely different approaches to flow, but often times end up resembling one another. UPF programmers typically want to draw audiences to live-appointment viewing in order to get them to watch commercials, while PPFs use algorithmic recommendation systems to strategically steer viewers through their catalog to provide them with a customized experience that will prolong paid subscriptions. By leveraging legacy UPF content strategies, content providers operating in both types of macro-level flows very much work towards the same ends (controlling audience flow), but use different bait (universal versus personalized content). In the end, both want to achieve steady and predictable audience consumption patterns, which

typically lead to better profitability because it aids in targeted advertising and maintaining subscribers and investors through the utilization of measurement tools.

Chapter 4

Measurement of Flow

On a summer day in 2001, I arrived at the Philadelphia television station where I worked to find a rubber duck sitting on my desk. The item was a sponsored giveaway to fans for an upcoming Philadelphia Phillies baseball game. My station asked to me to produce a "fun" story with the duck for that evening's sportscast. It seemed pointless. My immediate reaction was, "Why would viewers care about this?" Being only a few months removed from college, I had no idea what to do with this duck and gently pushed back. My boss' response? "It's a sponsored segment; figure something out." Although I am unable to recall the exact details, I ended up doing a person-on-the-street segment with the duck. It was a total time-waster and after the show, I realized why the experience was so frustrating. It wasn't because I thought the story was beneath me; it was because I was disrespecting my audience. The only reason that story existed was for the financial benefit of the sponsor, TV station, and at a distance the Phillies, but certainly not the audience. As a result, the micro-level flow of my sportscast had been compromised: I had sold my audience out to a rubber duck.

For every television programmer that attempts to lure, guide, and maintain viewers within a content flow, measurement is the tool that allows them to see their audience flow. Audience attention and engagement can be qualitatively or quantitatively measured. The resulting data serves as the currency through which media companies transact their business. Television audiences can be measured in all kinds of ways, through accessing content on the screen, social media comments, participating in ratings

panels, web activity, cable/satellite subscription set-top box data, mobile device activity, etc. Audiences can even be recruited to review content for media companies through the utilization of focus groups, surveys, and biometric reaction testing. The data collected can be used to establish advertising rates, as well as inform decisions about content, UX design, and subscription pricing. When it comes to measuring audience flow, the stakes are high – careers, revenues, and the fate of media content all hang in the balance.

In the midst of the digital disruption currently impacting the U.S. media industry, measuring audience flows has become a major point of contention. Audiences now find themselves precariously sandwiched between the chaotic triangulation of media companies, measurement firms, and advertising agencies. The sheer number of content flows spread across a myriad of platforms and distribution points has resulted in a fragmented audience that can make it difficult for advertisers and media companies to target and for measurement firms to track. A major contributor to this chaos is the changes to the technological landscape, which impact the way content flows are curated and distributed, and in turn, the ways in which audience flows are created, tracked, and measured. Content flows can be accessed via a variety of devices such as a television set, desktop computer, laptop, tablet, or smartphone. Additionally, the same piece of content may be simultaneously available in a UPF or PPF on a variety of platforms. Everything from cable channels to social media to VOD to OTT portals to P2P file sharing and beyond has the capability of simultaneously hosting the same piece of content that media companies want tracked and measured. Audience fragmentation has given measurement firms fits over the challenges of providing media companies and advertisers with accurate representations of the audience.

Because content flows are accessible in a myriad of digital spaces, it is a challenge for measurement firms to avoid audience duplication and blindspots. Duplication occurs when viewers view the same content on multiple devices or on different platforms, but are counted as two different audience members. Blindspots refer to content being accessed in spaces that are not tracked by measurement firms, and thus results in viewers not being counted at all. This means that larger-sized samples are required by measurement firms to ensure audiences are being discovered and counted. Adding to this confusion is the day and time at which content is accessed. Time-shifting content flows means viewing can be delayed across days and will likely provide audiences with the agency to skip commercials, which, in most cases, are the focal point of measurement. Therefore, measurement firms need to retroactively add data points together spanning a timeline of several days, across multiple devices and multiple platforms, to get a more complete picture of the total audience flow for a particular piece of content. This chaotic, and often inaccurate process, has led advertisers and media companies to rethink their strategic approaches to monetizing flow.

Nielsen and Comscore are the two primary television measurement firms of audience flow in the United States, although there are hundreds of other firms offering competing services as television has expanded into digital spaces. While both Nielsen and Comscore measure UPFs and PPFs, there is a key difference between their methodologies. Traditionally, advertisers have transacted using Nielsen's measurement of UPFs which consists of panels that contain a small sample of households recording the content that they watch either by set top box or diary (Nielsen, 2019b). The data collected from the sample is then projected to a regional or national audience figure.

Comscore, on the other hand, collects data passively from millions of households through deals with distributors such as MVPDs (Comscore, 2018). The company then uses census-level data to project the demographics of a particular program's audience. Neither of these methodologies deliver particularly accurate results.

Traditionally, Nielsen measured audience flows on a program-by-program basis using 15-minute intervals. As content offerings increased, audience fragmentation increased, causing individual program ratings to drop. Additionally, the popularity of the DVR in the early 2000s and its ability to skip commercials sparked doubts around the media industry as to whether commercials were actually being watched by viewers. This, incidentally, contributed to the rise of live audience participation programming such as *American Idol* and *Dancing with the Stars* within broadcast networks' primetime content flows as a way to preserve live appointment viewing and prevent the skipping of commercials. By the mid-2000s, advertisers, craving detailed data about the relationship between audience flow and commercials, officially adopted Nielsen's C3 and C7 ratings, which specifically measures audiences' consumption of ads across a live-plus-three-day and live-plus-seven-day DVR-playback timespan, respectively (Clarken, 2014). While C3 was initially appointed the standard metric upon which media companies and advertisers transacted business in 2006, a decade later stakeholders became desperate to count as many eyeballs as possible consuming commercials in a fragmented media environment and widely began utilizing Nielsen's C7 rating as the preferred standard of choice (Lynch, 2016). This shift from measuring programs (and everything included within a UPF) to focusing solely on commercials (just one component of a UPF)

demonstrates what we have suspected all along: selling audiences to advertisers is media companies' top priority.

Although using audience data to sell advertising is a big motivation for measuring flow, not all measurement data transacts as this currency. Audience flow impressions and ratings resulting from the consumption of content flows are typically quantitative and used to set advertising rates and sponsorships. They are designed to simply measure the attention of viewers across the multiple units of micro-level flows that together, comprise macro-level content flows. However, there is another component to measurement which is used to specifically assess individual micro-level content flows.

Audience sentiment can be culled from social media use, focus groups, biometrics, and other qualitative-type metrics, which can then serve as intelligence for the evaluation of the micro-level flows within a particular piece of content. One of the earliest forms of this type of measurement was the Lazarsfeld-Stanton Program Analyzer, which was developed in the late 1930s and featured like/dislike buttons for a test subject to push while watching the micro-level flow of a television program (Levy, 1982). This type of qualitative methodology can yield data that can be used as intelligence to influence or manage the future creation or purchasing of content. However, I want to point out that these two different types of data, viewership ratings and audience sentiment, are not necessarily mutually exclusive. Product integration is a process by which advertisements get baked directly into the micro-level flow of content and may rely on audience sentiment as currency rather than just a rating or impression count. We will explore product integration in more detail later in this chapter.

In its purest form, measurement materializes the audience and has the power to provide even the most marginalized viewers with a voice (when counted). But when that measurement is compromised by a lack of mathematical rigor and a media system that heavily favors protecting the revenue derived from advertising, the audience becomes ripe for exploitation, manipulation (both mathematically and ideologically), and exclusion. In this chapter, I will provide an overview of the current measurement landscape of both, macro- and micro-level televisual flows, and the implications these have for audiences.

Advertising is defined as "the action of calling something to the attention of the public especially by paid announcements" (Merriam-Webster, 2019). With television's ability to broadcast imagery and sound to mass audiences, the medium has had a long history of cozying up to advertisers. The first televised commercial in the U.S. aired on July 1, 1941 in New York (Poggi, 2016) and advertising has served as a hallmark of American media ever since. Even in the age of subscription video on-demand (SVOD) services that are marketed as commercial-free, advertising still infiltrates content on the micro-flow level. The premise is fairly straightforward: media companies attract viewers with content; viewers' activities are tracked and measured; the resulting data are aggregated and become the basis for which price rates and audience targets are established by media companies for selling their available inventory to advertisers. Scholars have previously provided critical analysis of this process (Smythe 2014, Jhally & Livant, 1986, Meehan, 2014); however, television advertising is becoming increasingly complex in the age of digital disruption and involves multiple incarnations – some forms that are transparent to viewers and others that are perhaps not as much – but nevertheless

implicate audiences by grabbing their attention and attempting to influence their activity. In the U.S., television advertising for universally planned flows is expected to grow to $74.9 billion by 2022 (Lafayette, 2018a) while digital ads topped $107 billion in revenue in 2018 (Graham, 2019). The more complex content flows become, the greater the opportunity to extend audience flows, which increases the chances of serving ads to viewers. Thus, at the heart of these transactions lies the audience, for it is the measurement of their activity that serves as the primary entry point to converting their content-watching and engagement labor into a commodity for sale.

At the time of Raymond Williams' (1975) analysis of flow, the American television landscape primarily consisted of broadcast networks and stations. The bulk of audiences tuning into universally planned flows did so without paying a monetary fee for access beyond the cost of their television set. Thus, to subsidize the cost of content, media companies and production studios sold advertising inventory to ad agencies, who would then help their clients (the advertisers) create a message that promoted products and services to audiences (Meehan, 2014), a practice that still occurs to this day. In order to collect a fee for airing the ad, media companies show proof of audience consumption through measurement data.

It was the commercial break – an interruption of a micro-level flow to promote products and services in individualized units as part of the larger sequence of a macro-level flow – that drew the ire of Williams (1975). Ratings traditionally projected the size of an audience for a particular program within a macro-level flow which included other components such as promos and commercials that occurred within the UPF. However, the C3 and C7 ratings have allowed ad agencies and media companies to break out

individual commercials occurring within a macro-level flow and specifically measure the audience attention they receive (Lafayette, 2018b). But because the time-shifting capabilities of DVRs allow for commercials to be skipped, and the way OTT players such as Netflix offer content flows "commercial-free," industry players continue to strategize ways to force audiences to pay attention to ads. One solution has been to integrate advertisements directly into programs' micro-level content flows. Examples such as the rubber duck story that I shared at the beginning of this chapter demonstrate the relentless commitment of media companies to injecting every aspect of content flows with advertising in order to maximize ad revenue. Thus, product integration attempts to make program and advertising ratings all-inclusive again after the ad-skipping features of the DVR contributed to Nielsen's C3 and C7 ratings.

This relentless pursuit of revenue places tremendous pressures on the ways in which audience flows are measured because stakeholders want the best possible financial return. With so many different media measurement firms in business today, media companies can cherry pick the audience data that best serves their needs. Historically, this issue has been addressed on Capitol Hill. In 1963, U.S. Representative Oren Harris chaired a congressional committee that involved scrutiny over the calculation of television ratings points (Packard, 1963). Concerns over audience representation and data integrity led to the creation of an industry-funded self-regulatory independent ratings council,[8] which demanded better probability sampling and one neutral producer of ratings (Balnaves & O'Regan, 2010, p. 472). This was to eliminate the need for government

[8] First called the Broadcast Rating Council when it was formed in the 1960s, today the organization is known as the Media Rating Council (MRC, 2019c).

regulation by allowing the industry to self-regulate the measurement methodology on which all players could transact.

More than half a century later, measurement, much like content flows, has become increasingly complex and diversified. As interviewees and trade publications indicated, Nielsen is still the de facto ratings provider for universally planned flows (UPFs), although not every industry player is satisfied with their efforts. Currently, one Nielsen ratings point is equivalent to one percent of the television households or a particular demographic watching a program; however, ratings are based on projections given that Nielsen's measurement panel consists of a small sample size comprising just 60,000 households in the top 44 U.S. markets (Friedman, 2019b). Additionally, measuring audience flows across digital platforms and walled gardens has presented some challenges. As a result, trust issues in measurement methodologies permeate all sides of the industry, audiences have been reduced to little more than data products, and a wild west atmosphere has erupted amongst companies seeking to become the de facto measurement firm of the digital ecosystem. Seemingly lost in all this commotion is the notion of media companies providing a service to audiences, which is in stark contrast to the ways in which the audience was celebrated by journalists and media professionals when researching the management of flows.

Trade articles and interview participants presented the audience in a different light when the topic of measurement came up. Some interviewees hinted that managing flow is more about testing the audience's limit for advertising exposure and maximizing data collection than about actually tending to their needs. As one programming strategist indicated, "You can only annoy (the audience) so many times before they're not going to

come back" (personal communication, July 19, 2018), meaning that there is a challenge for programmers to maximize the monetization of flow by maintaining/balancing the largest possible audience with the largest possible amount of advertisements. With the trade press, the search for management articles often times delivered results that touted benefits for audiences (such as interactive entertainment, unique storytelling, etc.), but the search for measurement articles delivered little to no mention about serving the audience. Instead, articles largely focused on ways to improve advertising revenue through better precision in targeting audiences, strategic leveraging of artificial intelligence (AI) for programmatic buying, utilizing audience feedback to maximize flow strategies, and increasing transparency in deal-making between industry players.

Because so much of our time is now invested in digital spaces and smart devices (phones, televisions, wristwatches, home assistants, laptops, tablets, etc.), behavioral data is more plentiful than it is ever been. This is because as television viewers enter into content flows and take cues to create audience flows by moving in and out of digital platforms, their labor is producing a digital data byproduct that is tracked, collected, analyzed, and likely monetized. Combine this with the media management notion that content must be everywhere in order to find audiences, and you have hundreds, if not thousands of companies collecting audience data and trying to sell it. In other words, there is a lot more choice today in the audience measurement market than just Nielsen.

When aggregating audience data, interviewees and trade journal articles indicated that media companies typically have three sources from which to pull. *First-party data* is data that resides on a media company-owned platform that is serving the content directly to audiences. Portals and websites are common examples of where first-party data can be

collected. While this data can be trusted by the entity owning it, it is open to being manipulated without anyone outside the company being aware, leading to trust issues. "I think it leads to this perception that there's a lot of success out there and I don't know if that's true. You don't know. You have all of these (walled gardens). Are they making any money?" (Programming Strategist, personal communication, July 19, 2018). *Second-party data* generally refers to Web 2.0 applications where media companies post content, but do not own the platform. Social media sites such as Facebook and YouTube are such examples. However, platforms' software updates and proprietary algorithms can wreak havoc on this data as any change to the formula may instantly alter the measurement methodology or user experience. In 2018, Facebook angered publishers by altering its news feed algorithm to focus it more on personal connections and less on brands' and businesses' pages (Vanian, 2018). "You're really at the whims of these social media platforms because that's how you get your information out, and so when a SnapChat has an update that loses half of its users, it's a huge impact on our numbers" (Audience Development Strategist, personal communication, August 30, 2018). Finally, *third-party data* stem from supposed neutral companies, such as measurement firms, that track media across multiple platforms and aggregate it for a more holistic view. However, third-party data can be less than mathematically rigorous and an increase of third-party measurement firms have resulted in an influx of trust issues:

- I like to call it mutually agreed delusions. Both sides of the table, the programmers and advertisers, have agreed essentially to use Nielsen as a third-party. They both don't believe Nielsen's perfect, but as long as they both agree to use Nielsen – shore up the regime – then it will continue to be useful. (Broadcast Engineer, personal communication, August 15, 2018)
- "Measurement is all over the place. There's no (third-party) metric in the industry that says here's what a successful digital campaign is" (Programming Strategist, personal communication, August 20, 2018).

The multiple levels of data indicate just how fragmented audiences and media offerings have become. As media companies expand the reach of their content across digital platforms, the tracking and measuring of such content rely on host platforms to supply the measurement results. This large amount of second-party data collected across platforms then needs to be aggregated and analyzed, which may require the services of a third-party measurement firm. If a media company wants to perform a sentiment analysis to get a pulse on the attitudes of their audience, it will likely require an additional measurement firm or companies can continue shopping around until they discover measurement data that fit their desired narrative. As audiences interact with and share content, media companies have to be mindful of tracking this activity to protect their brand and content rights. Thus, there are firms that simply listen across platforms and alert media companies when a user interacts with or mentions their brand. The more dynamic and interactive a content flow becomes, the more likely it is that media companies will need to rely on a wide variety of measurement services. This is in deep contrast to the traditional measurement of UPFs, where the media content was contained to a single screen in primarily a one-way communication approach.

The pressures facing industry executives to successfully manage and market content flows has created a chaotic environment for measurement, one that is important for audiences to familiarize themselves with since they are the linchpin to its (dys)functionality. The following sections of this chapter will discuss the primary themes that emerged from the trade journal and interview analyses of the measurement of flow: *measurement techniques*, *advertising strategies*, and *data accuracy*.

Measurement Techniques

While a majority of industry players appear content with using Nielsen to measure their universally planned flows, there was plenty of consternation about its ability to handle the measurement of digital content. As I discussed in the previous chapter, audiences flow in and out of digital content on a frequent basis and there are multiple points of entry on any number of devices because media companies want to be sure to capture attention at every possible opportunity. Measuring these flows is a lot more difficult for Nielsen than simply installing a set-top panel box in a household. A broadcast engineer explained, "On a lot of these (OTT) platforms, it's hard to get the Nielsen credit you need because those homes aren't necessarily equipped with the right people meter-type equipment to measure a specific device" (personal communication, August 15, 2018). Therefore, it is not surprising that alternative means of measurement – both quantitative and qualitative – are being explored and the measurement industry is exploding with options. Audience flows are creating such a rich data trail, that many of these new measurement firms are leveraging this data because of its high market value for helping advertisers conduct strategic audience targeting. Essentially it seems that the more the audience interacts with content flows in the digital ecosystem, the more data they produce, and the more pervasive ad targeting potentially becomes. However, the digital territory is sliced up by so many different platform and content owners that it is very difficult for a single company to get a truly holistic view of the audience.

Although the trade press primarily focused on Nielsen's[9] and Comscore's[10] ratings systems, as well as promoting select new measurement start-up companies, a wider array of measurement techniques and strategies were mentioned in the interviews. This is not a surprise considering that media companies first need to ensure that the micro-level flow content they are offering is going to attract audiences, for this is the "free lunch" that Smythe (2014) spoke of when he introduced the concept of the audience commodity. Content that is capable of delivering audiences on a predictable basis is the industry's strategy for securing stable ratings and thus, stable subscription and ad revenue. Interviewees mentioned many of the traditional methodologies for measuring audiences such as focus groups, surveys, and panel sampling. While these techniques are still in practice today, a majority of interviewees admitted to rejecting their use as a singular form of measurement. Instead, they expressed a desire to supplement these traditional forms of measurement with more specific data gleaned from more new-age techniques.

- I don't want to sit here and say, you know, that we only use sampling, we only use paneling, we only use survey…Forming and merging a lot of different data sets together is really the way to do it, to build different models. (Content Marketer, personal communication, August 17, 2018)
- You ask them a question in a focus group, "Yeah, I'll watch that." But you do a survey and they'll say, "Yeah, that sounds awesome, but I'm not going to watch it." Just because they say one thing, doesn't mean they're going to do it and that's where you see the behavioral piece. (Programming Strategist, personal communication, July 19, 2018)
- I'm sure you've seen focus groups behind the glass window. It's not real life. It's Petri dish kind of. You're trying to pull something out of them. You sit there and

[9] Nielsen Media draws from small sample sizes where specific demographics of a household are known and that the company deems representative of an overall population. It then tracks and collects the television consumption data of each participant and projects the results to the general population.
[10] ComScore television ratings claim to collect data from set top boxes in over 31 million homes in real-time (ComScore, 2018); however, the company has to project the demographics of the audience because they don't know the makeup of each household or who's specifically watching (Data Analyst, personal communication, August 21, 2018).

> make them watch something with a dial in their hand and they spin it this way or that way. Then you stop and then you ask them questions, but that's not how people consume television at home. (Audience Development Executive, personal communication, July 19, 2018)

These quotes are indicative of a growing trend of companies seeking out audience behavioral data rather than just measuring their exposure to content or personal feelings/attitudes about it. And although paneling has the potential of delivering behavioral activity through a device such as a set top box or computer, it often lacks the capability of covering every device a person owns and typically only includes a small sample of individuals or households.

When Smythe (2014) introduced his concept of the audience commodity in the late 1970s, the actual measured commodity was quite small in comparison to today. The audience being measured only consisted of a small sample of the entire population and the methodologies were limited to a handful of metered markets. Furthermore, the majority of panelists had to manually record viewing selections into a diary. And while Smythe was correct in his analysis of audiences being sold, the measurement figures being used were merely a projection; very few households actually counted in the ratings. This meant that if your household was not participating in Nielsen ratings measurement, it did not matter what you watched on television as it had zero effect on the ratings calculation. Digital content, however, opens the doors to the possibility of every audience member actually being counted and tracked at scale. A data analyst explains:

> There are errors left and right (with) content being measured. Sample size is probably the biggest one and of course the uniqueness of the audience. There's no way, I mean I have been in this business for several years and there's no way to really hone down on unique viewers (…) To truly get uniqueness, I feel like…invasive, it has to be. (personal communication, August 14, 2018)

In addition to the traditional methods of measuring audiences (focus groups, surveys, and panels), there are three additional measurement techniques that appeared in the findings of my analysis: *biometrics*, *incentive programs*, and *customer relationship management (CRM).*

Biometrics.

A relatively new measurement technique to which the trade press dedicated a good amount of coverage and interviewees frequently mentioned was *biometrics*, the measure of biological functions within the human body. Inherently invasive and not just for television, biometrics is a growing industry in the U.S. from personal fitness devices to fingerprint scanners to facial recognition technology. For television though, biometrics goes beyond simply measuring exposure to content and instead examines how the body reacts to said content. This could be for either macro- or micro-level flows, although interviewees specifically referenced using biometrics to measure content at the micro-level. For instance, companies will recruit participants to watch an episode of a television program, but instead of giving them a dial similar to that of the Lazarsfeld-Stanton Program Analyzer in a panel or focus group, they will instead use technology to measure how their skin reacts (such as sweat) or where their eyes are tracking on the screen throughout the flow of the story. The information collected is used to inform content creators on the strengths and weaknesses of their program/story arrangement. This might include the casting of the show, genre of the program, length of the episode, beats of the story, etc. Then afterwards, there may be a focus group conducted to compare results between the biometric measurement of people's bodies and what they thought they experienced (Media Intelligence Executive, personal communication,

August 7, 2018). The data collected from this type of audience measurement serves as intelligence for media companies to create future content with the hopes of improving the predictability of audience flow, which in turn impacts production investment outcomes.

- Being behind the glass (of a focus group) watching that group dynamic and that group bias that happens, and with neuroscience, what is happened is that, that's eliminated all that bias and we're actually able to understand the data that's actually coming from the brain…millisecond by the millisecond. (Creative Director, personal communication, August 16, 2018)
- One (measurement technique) which we have a great deal of confidence in that we've used for years in testing content and advertising and marketing, it's called galvanic skin response (which measures reactions in the skin while watching content). (…) We have a large arsenal of research techniques…we also use eye gaze. (Media Intelligence Executive, personal communication, August 7, 2018)
- "We use a lot of eye tracking… We are working on a lot of the facial recognition sort of sensing" (UX Designer, personal communication, August 22, 2018).

Media Science, a prominent biometrics business located in Austin, Texas and Chicago, touts itself as providing "one of the world's most advanced audience research facilities, featuring state-of-the-art tools measuring biometrics" (Varan, 2019) and is home to the Disney Media and Advertising Lab. It offers the opportunity for participants to join panels with a compensation rate that begins at $30 per hour (Media Science, 2019a). Its biometric tools include the analysis of heart rate, brain electrical activity, eye tracking, skin conductivity, and facial coding (Media Science, 2019b). Interestingly, some of its measurements come with a warning: **"**EEG (Electroencephalography) is an analysis of electrical activity in the brain and can help us determine viewer motivation and memory response (note: Media Science is very selective about using this measure as it is very intrusive for the participant)" (Media Science, 2019b).

Perhaps this is why biometrics is so intrusive because researchers can get a glimpse of our private thoughts and feelings in relation to the experience of consuming media content. Perhaps more unsettling is the notion that this research is not designed to

pursue a higher scientific understanding of human beings, but rather to further a commercial agenda seeking to manipulate and predict human responses to media stimuli in the name of profitability for its stakeholders. Despite these issues, the trade press and interviewees for this research showed very little concern about audiences participating. Those that spoke against biometrics did so because advertisers were not necessarily buying into the research.

> At least in the context that I used it, it was all about what the advertiser thought of it because we were doing it from a sales perspective and they sort of rolled their eyes when we presented it to them… Part of me thinks it's kind of gimmicky. (Media Intelligence Executive, personal communication, July 31, 2018)

A content marketer added, "If you measure 12 people and they decide this, is it really enough to base (your decision) off of? If you measure 2,000 people, is it really enough to based (your decision) off of?" (personal communication, August 17, 2018).

Constraining biometrics to a lab means that participants are a) aware that they are voluntary test subjects and b) are being compensated for their time (although questioning the fairness of this compensation is beyond the scope of this research). However, members of the industry seem to favor extending biometrics beyond the walls of a lab to achieve measurement at scale. "You can increase the size of the sampling. There's ways to do it online also, with just eye tracking and facial expression tracking," claimed a Creative Director (personal communication, August 16, 2018). A programming strategist stated that this was already occurring at their company: "(Audiences) watched (content) on their computer and so they watch it and allow us to turn on their webcams so we can watch them watching it." The interviewee went onto say that permission must always be granted by the viewer, but one has to wonder how transparent this process is, especially if it is buried inside a terms of use contract when a software application is installed on a

device. Taking biometrics beyond the walls of a lab is not something to be taken lightly. Questions need to be raised about whether or not participants are aware of a company watching them as they consume their content. Additionally, what will become of micro-level flows if there is enough biometric data to scientifically engineer a show?

The answer to this question is purely speculative, but scientifically engineering shows based on the collection of biological responses to stimuli could very well result in micro-level flows targeting mass audiences rather than servicing groups of niche viewers. The trends emerging from the outcomes of responses would theoretically be more applicable to the largest audience segments since a goal of media companies is to make audience flow as predictable as possible. In addition, micro-level content flows could become much more formulaic and likely to rely on furthering stereotypes because media companies would be less likely to risk putting money towards a program that does not meet the criteria set forth by the trends discovered through biometrics research. This could mean more copycat programs, media companies taking less creative risks, and the marginalizing of viewers that do not fall within the mainstream culture. This essentially swings the pendulum back to the production processes of the broadcast networks in the mid-20th century when their primary goal was to serve advertisers with the largest possible audience. As biometrics gets more sophisticated and databases begin to fill with aggregate audience data, the further erosion of the long tail of micro-level content flows certainly seems plausible.

Smythe (2014) received pushback from cultural studies scholars for focusing too much on the economic structures of television (Murdock, 1978). They felt strongly that examining the ideology embedded within media content is equally relevant and

complementary to understanding the power structures of the media industry because humans decode media messages differently. Biometric measurement seeks to measure our thoughts and reactions to the encoded messages on the screen, but in an invasive way that actually strips us of our individual subjectivities by minimizing what we think and feel through the conversion of our bodies' reactions into mere data points for analysis. Furthermore, how can our individual responses be effectively quantified, aggregated, and condensed into singular decisions within the content creation process? Surveys and dial-testing have traditionally resulted in content geared towards serving the largest possible segment of an audience, even within niche programming. And even when biometrics is combined with something more qualitative, such as a focus group, it could simply be to prove that the participant was wrong! A creative director that claimed to have been directly involved with biometrics testing described a familiar scenario of a focus group participant explaining how they felt about the content they had just watched, but then being proven otherwise:

> Then we'll turn around the screen and show them the (biometrics) charts, what they liked and didn't like; what their brain was thinking… "So it seems like you liked (movie trailer) two and three better. Why did you say you liked (movie trailer) five?" (…) Don't you really want to understand what the brain is thinking? (personal communication, August 16, 2018).

To use an analogy, it is very similar to an umpire calling balls and strikes in a baseball game. Sure, strike zone technology exists to indicate where the ball traveled after it was thrown by the pitcher, but the element of having a human calling the pitches and understanding the context of the at-bat – who is batting, how the catcher is framing a pitch, the accuracy of the pitcher throughout the game – is something a computer cannot be taught and has helped baseball maintain a level of human awareness. In the age of

social media and digital devices, where people have the ability to communicate in all sorts of ways, biometrics reduces viewers down to scientific data points capable of informing media companies of ways for streamlining micro-level content flows in order to increase the accuracy of manipulating our senses, and thus, predicting and influencing our future behavioral responses. But what it does not take into consideration is the context of our day; how we are feeling prior to accessing content, the events that have taken place during work or socializing, or that status of our health. All of these variables affecting our senses are discounted by measurement. So even though media companies are strategically attempting to shift the agency back into their favor by controlling audience flow, trying to predict or trigger a repetitive response seems unlikely. Once audiences arrive to content, the goal of scientific engineering is to leverage data to cultivate a habit or an addiction to content in order to achieve a sustainable flow. The result is a television system whose flow lacks a basic level of human awareness, organic storytelling, and niche content.

Incentive Programs.

Only two interviewees brought up the technique of using incentives, but nevertheless, I find the topic of importance because it directly deals with the issue of transparency and uniqueness in tracking audience behavior through content flows. A data analyst for a measurement firm explains:

> (It's a) free piece of software online that is bundled with our measurement software. (…) (It's) pretty well disclosed that this comes bundled with this (software) and I believe that in every case it's an option not to have that bundled, so I'll check a box and say, "Just download this thing I came here for and not this other crap." But you know how people are. They simply… people don't read. People just click through and get the thing they need and suddenly they have something else on their machine and don't notice. From a corporate and legal messaging perspective, this is all fully consented to, disclosed, everything else,

> but in terms of normal human behaviors and the ways things work, most panelists don't know it's there. (personal communication, August 21, 2018)

I find it interesting that this person categorized their company's measurement tool as "crap." I think it says a lot about the contrast between how professionals see their work as an employee and then how they see it as an audience member. This person appears to be speaking of a process that they would not want done to themselves and recognizes that the audience is being taken advantage of. The act of opting-in is supposed to be agentic for the audience, but with this technique, the incentive is really for the measurement firm or media company, not the user. In return for using a free software application, the person is sending a measurement firm every single data point from their personal device. An advertising strategist also commented on this technique: "People opt into the data collection that we perform and then once they've opted in, we are within bounds of what to do with that data" (personal communication, August 13, 2018). Just as with media companies conducting biometric facial recognition or eye tracking through users' devices, incentive measurement programs raise the question of audience awareness to this technique. Additionally, consider the issue for measurement firms of uniquely identifying viewers across all devices. Incentives help solve this problem by gaining full, legal access to a person's device with the possibility of them not even knowing about it.

Tying this technique even closer with content flows is automatic content recognition (ACR), which is software installed on smart TVs. ACR has the ability to recognize the media content displayed on the screen through either video/audio fingerprinting or watermarking. It then records audience behavior as viewers consume the content, change channels, or browse through content libraries. The data collected gets placed into a normative behavior database for future use in content recommendation

algorithms and targeted marketing. ACR is also opt-in, but the majority of consumers hastily agree to all the terms and conditions when setting up the TV without noticing they could refuse to participate in the measurement (Willcox, 2018). The data are then sold to advertisers and media companies unbeknownst to the set's owner.

Incentive programs, whether in the form of a free download or just the benefit of using a device, appear to be purposefully deceptive, yet often times fall under the agentic heading of opt-in software. Small print, lengthy registration processes, and confusing set-up procedures can very easily lay a dense fog over any sense of agency. This also becomes a privacy issue, which is discussed at further length in the next chapter.

Customer Relationship Management.

Customer relationship management (CRM) is the culmination of multiple measurement techniques across virtual and physical spaces and is the most comprehensive method of audience tracking for television advertisers. It is also one of the most concerning techniques. CRM involves a central company buying the data from companies that track media consumption and then combining it with a multitude of personal data points accumulated through other activities, such as shopping purchases. Companies like Experian, Axiom, LiveRamp, IRI, and Salesforce aggregate personal and household-level data from customer loyalty cards, credit cards, automobile manufacturers, MVPDs, online activity, etc. and attach it to a unique identification (ID) number that masks, but also points back to their home address.

> What (the measurement firm) will do is send out address-level information, say it's, here are the shows that people watched last night at 123 Main Street and they'll send that off to Experian and they will marry other data sets like Polk Automotive DMV registration data. (…) There's a company called IRI that does purchase data…and they can marry that household in this town in this zip code, not only do they watch those shows, they drive those cars, but they also buy Crest

> toothpaste and Dole oranges. (Ad Sales Strategist, personal communication, August 13, 2018)

The actual addresses are held by the CRM company while the unique ID numbers get sent out to clients. Combining all these data points allows marketers and data analysts to make correlations between the media content people watch and their buying habits.

> We had that data from Polk linked to the TV viewership data that we were collecting by the second, so I knew people that had three-plus year old Acura MD-X's in their garage let's say, make and model, what they were watching on television and where were they watching and when were they watching. (Data Analyst, personal communication, August 13, 2018)

So how does this data connect back to flow? The data reports from CRMs help advertisers find the best way to reach audiences with their messages – either through macro- or micro-level content strategies. Addressable advertising, for example, can help marketers (via algorithms) pinpoint the household or person to serve the ads they deem relevant to their lifestyle. This has the ability of transforming UPFs into PPFs, as well as impacting the ads a viewer sees served to them on a SVOD platform such as Hulu. An ad agency content strategist stated,

> I start looking for consumer patterns and like things that actually over index with that and then I start simply connecting the dots on whatever the consumer's up to and whatever their friends stand for with that specific model, like specific car model… That's how I am able to develop creative briefs to brief our creative team. (personal communication, August 11, 2018)

Although correlation would appear to result in niche clusters of data that do not pinpoint a specific individual, recommendation algorithms and artificial intelligence computer systems are capable of learning the characteristics of specific households and individuals for targeting purposes. And because so much of audiences' activity is digital, a content marketer mentioned that Internet protocol (IP) addresses are easily connected to CRM IDs (personal communication, August 17, 2018). With all of these data points connected

to a single unique CRM ID, a marketer can get quite a glimpse into the routines, tastes, and habits of individual households. "You need a system that knows how to translate those IDs into consumer slices that can be bought" (Content Marketer, personal communication, August 13, 2018). These slices represent the audiences that advertisers want to target with their messages. So essentially what you have is a dual usage of the data. First, the audience flow measurement data is used to transact the placement of an ad on a media platform. Second, that same data can be used again or combined with additional data to aid advertisers in identifying a segment of an audience they want to target. Not only does this make audiences susceptible to a scenario where their consumption habits, including their attitudes, values, and beliefs are being collected, analyzed, and served back to them in the form of targeted marketing, but again, this also stokes fears over an invasion of privacy and whether users are aware of their data being collected and utilized in this way.

Just about every interviewee that I spoke with boasted about their company's commitment to privacy, which could be categorized as pushing an agenda or perhaps they were only aware of the company line. Most concerning, though, was what one analyst at a large measurement firm revealed about privacy:

> Our collection methodologies are intended to leave any sensitive personal identifying information on the local machines…and then there are additional safeguards in place that look for, they algorithmically look for anything that is collected incidentally that could be personally identifying and scrubs it and replaces it with a placeholder flag. And it's been my experience that that is an imperfect system on both fronts…I routinely work with very large data feeds using tools like pandas and python and you know, sequel, things that are much too big for excel to operate on it effectively and I routinely, whenever I work with those kinds of datasets, find things that are, whether directly or through indirect deduction, *can easily identify individuals* and to me, that makes me very uncomfortable. And this is the data that, when I see it and I'm looking for it actively and look to remove it, I try to scrub it from my data as an additional

> service human step before it goes to a client, but I should never even see that either. (…) I brought this up to our legal team and our engineering team, whenever I had been noticing data like this in the data and how it was clearly related to this issue I'm describing and basically the answer I got back was, "Well, look, we consider URLs to be public data, so if it contains publicly identifying information, personally identifying information, it's not something we need to be concerned about." Now frankly, I don't agree with the answer I got, but it's the answer I got. No action to be taken about it and in the meantime, I just have to be hyper-vigilant on an individual basis to remove this data, but frankly I'm an outlier in my vigilance in doing so. So routinely, our clients are getting personally identifying information in these large data feeds that, you know, they're not necessarily acting on it in any meaningful fashion, but it's there. It's not everybody, it's maybe some small fraction of one percent of people can be de-anonymized but the issue grows when you look at beyond that literal personally identifying information. You know if you look at search queries for an individual machine that's been anonymized, those can be very revealing and can give you a lot of information sometimes allowing you to identify someone individually or at least get a very good idea of their life. (personal communication, August 21, 2018)

This experience certainly does not jibe with all the other interview responses that promised maximum security for individuals' privacy. To be clear, this goes beyond just a measurement firm receiving personally identifiable information (PII) because the firm then sells those aggregated data sets to clients, such as television networks, streaming platforms, and advertising marketers. So if the data is not properly scrubbed, there is a seemingly endless possibility of eyeballs that can view that data. And let's not forget that in 2015, the large CRM firm Experian suffered a massive data breach of 15 million consumers, including a large swath of those that had applied for T-Mobile phone service between 2013 and 2015 (Hackett, 2015). "The information accessed included names, addresses, Social Security numbers, dates of birth, driver's license numbers, and passport IDs" (Hackett, 2015). So it is not just a question of keeping PII private, but also keeping it secure because numerous companies have our data whether we like it or not.

No matter which way you slice it, the risk-reward of audience measurement techniques is completely off balance; the industry reaps the benefits while squarely placing the risk onto the audience (often times unbeknownst to them). The deal being offered to consumers is the promise of tracking audience flows and collecting our personal data in order to be better served content that fits our world views or tries to sell us something. Meanwhile, media companies, measurement firms, and ad agencies profit by transacting on this data.

> A lot of times, with data, what happens is that data always pushes in the same direction when necessarily you don't have to follow trends or patterns. If everybody that has the data says, 'Go right! Go right!' Then everybody goes right. Well, what's wrong with going left? It keeps pointing to the same shows (being created). (Programming Strategist, personal communication, July 24, 2018)

If the creation of micro-level content flows continues to heavily rely on the harvesting of audience data to inform decision-making, it will likely result in the construction of macro-level flows that are reminiscent of the repetitive and similar mainstream fare that graced broadcast networks' schedules in the twentieth century. This is because in theory, every media company will be following the same recipe for success and be less willing to take financial risks. And then there is the ultimate risk of a company not properly securing audience data, potentially comprising details of an individual's entire life, with their only defense being a class-action lawsuit after the fact. It is a truly unbalanced risk-reward proposition because the audience's primary voice resides in their data, which is being used to serve content back to them in a manner similar to how an echo chamber operates.

Advertising Strategies

Armed with consumer data, advertising agencies work to infiltrate content flows in order to attract audience attention to consumer products and services. When Raymond Williams (1975) conceived his theory of flow for American television, he noted three main ingredients: the program content, station/network promotions, and commercial advertisements. Although Williams addressed these ingredients as separate entities, the contemporary structure of flow has diffused their boundaries to the point where the traditional commercial has given way to less transparent attempts at baking advertisements directly into the program content. The strategies ad agencies use to achieve this directly impact the resulting appearance and format of the flows. Interviewees made clear that the advertisers are very much the ones in charge. A programming strategist summed it up when they stated, "The content creators are so dependent on the advertiser dollars, the advertiser does (exert) control" (personal communication, July 26, 2018).

Table 4.1 provides an overview of the strategies agencies implement within content flows, beginning with the still-used traditional commercial break that Williams observed.

Table 4.1 Advertising Strategies	
Strategy	Description
Commercial Break	A video or sequence of videos each sponsored by a different product or service that gets inserted before, after, or during a particular program. Typically

	utilized in continual content flows such as UPFs.
Pre-roll	A video or sequence of videos promoting a product or service that is placed before the sought-after content begins. Typically refers to web or on-demand videos.
Mid-roll	A video or sequence of videos promoting a product or service that interrupts the sought-after content. Typically refers to web or on-demand videos.
Reduced Ad Load	A television commercial break that contains a lesser amount of ads or ads of shorter lengths than what is usual for that particular program. Can also be a decreased number of commercial breaks within a particular program.
Branded Content	Media content that is typically subsidized by a single sponsor and may showcase sponsor's logo, product, service, and/or description within the micro-level content flow.
Product Integration	A sponsor's product or service is visible within the micro-level content flow.

	Sponsored product may be prominently featured or simply appear unannounced.
Gamification	The practice of making ads interactive and game-like for the audience in either macro- or micro-level content flows.
In-Content Split Screen	Keeping the media content on one side of the screen while using the other side to promote a product or service. Considered micro-level flow ad strategy because the program content remains on the screen for the duration of the ad.

While the commercial break was the most common strategy discussed in the research, it was interesting to see professionals attempt to spin advertising strategies as a positive for the audience, even if some of them did not appear to buy into the prospect of watching ads.

- "Yeah, it's a commercial break, but it's creatively tailored to the consumer" (Content Marketer, personal communication, August 11, 2018).
- "Show me one ad during the time I'm viewing and that's fine; I'll walk out and go to the bathroom" (Data Analyst, personal communication, August 13, 2018).
- "(Audiences) don't feel manipulated because (the ad) just reinforced their world view and they can feel better about who they are" (Content Marketer, personal communication, August 20, 2018).

This sugar-coating of why ads are beneficial to us demonstrates that even marketing professionals recognize advertisements as being unwanted by audiences. It is no surprise that when I asked someone outside of the marketing field about these advertising

strategies, they were a little less enthused, explaining, "I think there's certainly a weariness and less of an appreciation of content that is weaponized with commercials" (Producer, personal communication, August 9, 2018). Analogizing advertisements with weaponry is interesting because not only does the audience need to shield itself from making unnecessary purchases, but it also speaks to the potential for advertising to attack the creative process of making content. A creative director stated:

> The sooner that a brand can be involved in just letting a TV network, content creator, (and) showrunners know what their plans are for their product line, then the content creators are going to be coming from an informed perspective and not a vacuum. (personal communication, August 16, 2018)

This means that the production of content itself – the creative storytelling process – has the potential to be compromised by advertising. In addition to this practice, it is important to proceed one step further and also consider what goes into the content of commercial messages. Shalini Shankar (2015) observes that often times advertising is not multiculturally inclusive in its approach. Rather than including a diverse range of ethnicities in all-purpose marketing, advertisers tend to target specific ethnic groups in niche marketing attempts. This results in a process she calls "transcreation" where a product's message is not simply translated for a specific racial group, but also created to include key cultural signs to solidify branding (Shankar, 2015, p. 35). This practice attempts to shoehorn unrelated consumer products into an ethnic culture where they unnaturally juxtapose sacred values, signs, and representations.

Micro-level flows can become further compromised when a paid advertisement moves from a macro-level content strategy (such as a 30-second ad) to a micro-level content strategy by appearing inside and during the program content. A good example of this can be seen with *Saturday Night Live*. During the 2016-17 television season, NBC

announced that it was eliminating two commercial breaks (reducing ad load) from the popular live sketch comedy show in favor of adding branded content sketches (Lynch, 2017) – essentially rolling two advertising strategies into one decision. The process works like this: the network's ad-sales team sells a sketch spot to a brand and then works with the writers to come up with a script idea that protects the integrity of the brand while still maintaining comedy, although the former is clearly more important to the ad agency. What is therefore being served to the audience is a pill within the applesauce - a commercial within the confines of the micro-level content flow of a program. But unlike taking a story and inserting a brand into it or around it after it has been written, the entire creative process is now wrapping itself around a brand. The organic art of storytelling is compromised and the audience has little choice (if they wish to remain watching), but to be educated about a product or service under the guise of their program's storytelling.

This technique is actually a bit of a throwback to television's early days. Milton Berle's *Texaco Star Theater* or the *Philip Morris Playhouse* were television programs in the 1950s that featured a prominent sponsor that, in many cases, had a say in the shape and form of the program content. Even into the 1960s, television programs such as *The Andy Griffith Show* (Sanka Coffee and Post Toasties cereal) and *The Monkees* (Kellogg's cereals) featured program characters using and/or conversing about sponsored products within the context of the show. In the 1990s, comedian Dana Carvey attempted a bit of tongue-in-cheek nostalgia by selling the naming rights of his short-lived ABC network show to different sponsors such as *The Taco Bell Dana Carvey Show* and *The Mug Root Beer Dana Carvey Show*.

However, this recent trend of re-inventing television advertising with different strategies is different than the advertising strategies used in the past. In most cases, audiences are now paying a subscription fee to access content flows through MVPD or OTT services. Both the trade press and interviewees agreed that subscriptions make up the majority of revenue for most cable networks and SVOD platforms. A programming strategist estimated that subscription services reap 70 to 80 percent of their revenue from subscribers and only 20 to 30 percent come from advertisers (personal communication, August 20, 2018). So then the question becomes, why are the advertisers dictating the design of content flows and not the audience? Part of the reason is the demand to maximize profits for stakeholders. The opportunity to take on new subscribers is essentially limitless, but the available space within a program or network for advertising is quite limited, which makes pricing competitive for advertisers trying to reach particular demographics of consumers. Another reason is that there is no shortage of advertisers knocking on media companies' doors to target consumers with their products and services. Even so-called ad-free SVODs such as Netflix blatantly use product integration in programs such as *Stranger Things* (Castillo, 2019) or *Black Mirror: Bandersnatch* (Adams, 2019). Simply put, media companies are not willing to turn down money or barter deals in exchange for selling their audiences to advertisers. And as one professional stated at the beginning of this chapter, the challenge of managing flow is really about maximizing ad revenue without annoying the audience, thus the experimentation with different ad strategies.

The result of these strategies is similar to the auto racing sport of NASCAR. While racing fans buy streaming subscriptions and event tickets to watch drivers race

cars around a track, NASCAR maximizes their revenue by filling every available inch of the drivers' uniforms, cars, and race track with advertisements. This exploits the fans' love of the sport by taking for granted the fact that they will watch the race regardless of the aesthetics. With NASCAR, these ads over time have become internalized by the sport and its fans, with cars primarily being recognized for their sponsored brands than for their assigned car number. Therefore, advertisers are more likely to exert control because the threat of them leaving and not paying is much greater than that of any single fan. Additionally, change occurs incrementally until one day when we look back and wonder how we arrived at this point. What media companies are doing with content flow is no different. Viewers, and specifically fans of content, internalize the nature of content flows while the media company has the ability to sell as much of the screen real estate to the advertiser, who has the agency (in the form of money) to call the shots.

As discussed earlier, the placement of ads is not done with a broad stroke of a brush, but rather strategically as to strike a balance between maximizing profits and keeping the audience at worst, at a minimal level of contentment. A programming strategist summarized the benefits of a reduced ad load strategy as:

> Limit the supply, which will increase the demand and the price we can charge, and so, also that will, in theory, have viewers stay longer, which will increase the ratings, which then we're getting more money because the rating is higher. (personal communication, July 19, 2018)

This is not an attempt to improve content flows for the audience, but rather a way for legacy media companies to compete with the SVOD model while still maintaining (and perhaps even increasing) UPF ad revenues. An ad agency data analyst sums it up best, "No advertiser cares about you as a person; they're just trying to sell you stuff and

fundamentally, it gets down to, at least in the general product area, just trying to be able to sell you stuff better" (personal communication, August 10, 2018).

The data produced from audience flows that get sold to advertisers enhances ad agencies' ability to target products and services back to the same consumers that originally produced the data with their viewing and online activity. To summarize, audiences are paying for access to content flows, whether that be a monthly cable/satellite TV bill, Internet bill, and/or SVOD bill. When they consume the media content they paid for and then engage in an audience flow where they interact with social media, games, and websites related to said content, they are (most likely) exposed to advertising which the media company is being paid to serve to the viewer, using the data that was created from their activity (labor) that they originally paid for the privilege to create. It does not sound like much of a bargain and yet, millions of people sign up for this. And let us not forget a key component to targeting audiences – studying the patterns and trends of everyday life that help form our cultural identities only to re-appropriate them back to us in the form of a relatable ad.

> If you can find and latch onto what people care about and just give them more of it, they don't see it as marketing, even if you after the fact hold up the plain facts of like, "Here's exactly how we manipulated you." They don't feel manipulated because it just reinforced their world view and they can feel better about who they are. (Content Marketer, personal communication, August 20, 2018)

This mindset continues to reinforce a commitment to churning out consistent and familiar content flows, often times distributing content bathed in generalities and stereotypes, in order to deliver more predictable audience flows by playing to the largest possible audience. To complicate matters, the manipulation of advertising can be confusing as viewers are not always able to recognize the difference between an ad and program

content, just as Williams (1975) was confused when the movie he was watching in his hotel room abruptly transitioned to a commercial. With product integration and branded content seamlessly taking on the disguise of program content (remember my rubber duck story?), audiences may not be aware of the intention behind said content. In other words, audiences should know the purpose of their attention tied to the screen. A content marketer commented, "The biggest problem facing the online media industry today (is) just a lack of transparency and knowing what is an advertisement and what is not" (personal communication, August 11, 2018). This is an important consideration because marketers make it a priority to first creating a sense of relationship and trust with the audience in order to then manipulate them into making a purchase. The consumption process for advertisers is not just about a single piece of content, but rather nurturing an entire audience flow of their own.

A term that continually surfaced during the data collection portion of this research was that of *personalization*. At first, I thought it to be a strategy for media companies to tailor content to audiences based on measurement data, but quickly realized that it is actually a term spun by advertisers and marketers to try and build up trust with an audience.

- Personalization right now is everything (…) I'm seeing one ad and you may see a different ad and we're watching the same show. But that ad, not only maybe there's a better chance that I'll buy something from it, so that's on the sales side, but from even the viewing experience side, that ad is probably going to be a better viewing experience for me. (Programming Strategist, personal communication, July 19, 2018)
- It's not like a real relationship, but it's a relationship where you've gained audience trust. "I know what you like, so stick to this channel and I'm going to serve you what you like," and the audience is never disappointed. In return, you can depend on your audience to watch and so for you, and for your advertisers, you're never disappointed. (Programming Strategist, personal communication, July 26, 2018)

- We try to understand and leverage existing data, particularly if they're an existing customer. You know we have a great deal of personalized information, so we can present everything to that page that is relevant to that customer, not only in the verbal content, but the images, the offers, and the hierarchy. (UX Designer, personal communication, August 22, 2018)
- "By standing for the deeply core principles is where advertisers can build a deeper connection with an audience and is simply a transactional relationship" (Content Marketer, personal communication, August 20, 2018).

Having your interests served back to you by a company is a strategy designed to make all the other advertising strategies work more effectively because it is designed to build a relationship around trust and familiarity. When my wife and I were in the initial stage of expecting our first child, we regularly researched information online. Within a week, our ad-supported subscription to Hulu was serving us ads for strollers and baby formula, which was content that we were not receiving prior to our online activity.

Personalization is similar to what Murdock (1978) and other cultural studies scholars were challenging Smythe (2014) with when he initiated the audience commodity debate. Personalizing the message embedded within the commercial content is a key strategy to priming the audience for all other strategies that follow. This goes back to the conversion funnel discussed in the previous chapter. In the same way programmers use a funnel approach to maintain audiences through content flows, advertisers use a funnel strategy to slowly convert the audience into loyal customers.

> It's usually a lot easier to get somebody to buy detergent than it is to buy a (car), so you're going to have to have a number of conversions along the way to buy a (car) versus you might be able to get somebody to give somebody a coupon and then they buy detergent, so like a two-step, three-step conversion process. (Content Marketer, personal communication, August 20, 2018)

The conversion funnel is literally teaching an audience member to become a loyal (thus, predictable) consumer for a brand and there may be incentives (such as a coupon) as a consumer descends the funnel. It is undoubtedly why some of the interviewees spoke of

the audience as “aspirational buyers” or “aspirational consumers” (Ad Agency Content Strategist, personal communication, August 11, 2018; Ad Sales Strategist, personal communication, August 13, 2018).

Because loyalty is a fundamental building block for achieving stickiness, it is a characteristic that media companies look to establish with their audiences in order to secure a more predictable audience flow to sell to advertisers. Stickiness refers to the ability of digital sites to repeatedly attract audiences and increase the time they spend within a content flow during each visit. Once media companies achieve this, the audience flow is primed to be sold to advertisers.

That is why the advertiser exerts so much control. They view all of this audience data as a tremendous opportunity to transform viewers into loyal customers to groom predictable audience flows and are therefore willing to pay a premium for access. The more agency the media companies provide advertisers, such as with branded content, the higher the premium they are willing to pay. The audience, on the other hand, are expected to keep paying the monthly subscription fee regardless. “(Audiences) are going to be paying for this, but advertisers will still be involved because it’s actually better for advertisers because you’re not throwing spaghetti on the wall,” explained a communications strategist, which means targeting consumers with data is becoming a science. In other words, the amount and quality of personal data audiences produce through their consumption of cable, digital media, and online content is too valuable for advertisers to pass up and the revenue generated by ads is too good for media companies to pass on. Transacting on that personal data means that the audience is being alienated

from the primary commodity they produce within an audience flow, for they are not party to, nor in control over, the sale or use of the data byproduct.

This transactional process is quite cyclical. The data commodity produced by audiences is used to create, target, and publish the advertisement that future audiences will work to consume with their attention, which is sold by media companies to advertisers. However, this human attention is also counted and converted into a ratings or impressions commodity by measurement firms, from which again, the audience is alienated and stripped of their subjectivities, being sold to media companies or advertising agencies, reduced as data points for the purpose of setting future advertising rates. Currently, UPFs generate the most revenue for media companies and PPFs in OTT spaces are viewed more as a supplemental ad-buy. Interviewees seemed to be in agreement that until revenue levels change dramatically, programmers and advertisers intend to maintain the status quo of prioritizing UPFs, even if one side blames the other for a change having not already occurred.

- You can read articles on peak TV and declining revenues until you turn blue in the face, but when you're still making as much money (as we are with UPFs), at the end of the day, it's not enough to make everyone really itching to change yet. (Programming Strategists, personal communication, August 20, 2018)
- "The media companies, they would have moved off the Nielsen ratings 20 years ago. It's just how the (advertising) agencies and the brands are willing to transact" (Content Marketer, personal communication, August 17, 2018).

There were a lot statements that hinted at inertia in the area of ad-buying and monetizing content flows. Neither side seemed all too interested in migrating away from the UPF model, but rather than ignore the Netflix business model, they seem to embrace the OTT space as a secondary, supplemental model to their UPFs.

"Thirty-second pre-roll is what (the media company) wanted because they wanted $10 CPMs (cost per mille), they wanted $15 CPMs, because they're greedy. No one's watching 30-second advertisements anymore" (Content Marketer, personal communication, August 11, 2018). Even when content marketers acknowledged a change in audience consumption patterns, they complained that the media companies were slow to adapt, basically taking the UPF model of advertising and simply applying it to the OTT space, as evident in the above quote. However, the data collected for this research did not indicate that clinging to UPFs or an advertising-subscription revenue model was really just about the money.

Some of the professionals interviewed hinted that this inertia was also connected to self-preservation. "Why would you estimate (the size of the audience) when you can absolutely know a census level? It makes no sense," questioned a programming strategist that primarily works within the OTT environment (personal communication, August 11, 2018). One would assume that precision in audience measurement is what advertisers yearn for; however, that certainly did not seem to be the case:

> It's easier to just say I'm buying (a popular cable network program) wholesale than to do all of this thin slicing to figure out who actually converts at a better rate…It's a bit harder to be busted for doing a bad media buy when it's less tracked. (Content Marketer, personal communication, August 20, 2018)

In other words, it is difficult to tell who in the audience of a UPF was converted within the aspirational consumer funnel because that is most likely either going to be from a Nielsen panel or Comscore dataset. If it is the former, it is a very small sample and therefore, there is no way to track viewers. If it is the latter, ad agencies can see a much more precise number of households, but only receive a projected demographic breakdown of the audience. Moreover, the tracking across devices and virtual MVPDs

would be hit and miss. Thus, placing an advertisement in front of an audience watching a UPF is a lot safer in terms of job security. Agencies receive the projected Nielsen rating along with its demographic breakdown of the audience and both sides agree to a transaction.

Alternatively, if the advertisement was targeted to a household consuming media content in the OTT space, CRM companies would likely be able to tell if the household eventually converted to making a purchase. Additionally, measurement firms could probably tell if the advertisement was watched, who did the watching, and on what device. However, interviewees worried that too much detailed information could potentially upend the industry by showing that advertising may not be as successful as they think it is, could drastically reduce revenues, and make marketing a lot harder of a job. The marketer professional continued:

> Would the CEO (chief executive officer) want it that way? Probably not. He'd want whatever is the most precise, but ultimately he's not the one who has that knowledge…and he probably doesn't know enough of these big companies to say that's bullshit. (personal communication, August 20, 2018)

This lack of a need for accurate data speaks to the two disparate currencies involved in the measurement of flow. On one hand, biometrics is precisely measuring the biological reactions of humans to transform the creation and production processes of micro-level content flows to a science. On the other hand, the measurement of macro-level content flows is preferred to be a vague and malleable currency in which industry players can spin and cherry pick data to however best serves their needs. A programming strategist added,

> You can't tell me (the audience) is not paying attention to more of the six-second break than the 30-second spot in the middle of a two-minute commercial break. But again, I don't have those metrics, so I gotta believe there's research that

> everyone's hesitant of. (…) As a programmer, when I hear from a sales guy, I assume it's all lies…they all say it's not us, it's (the advertiser). It's very convenient that it's always someone else's fault. (personal communication, August 30, 2018)

The separation of labor exposes gaps within employees' knowledge of how the industry operates. This can lead to trust issues, as exhibited in the above quote, which is symptomatic of an industry scared of the truth. This results in an audience flow that is more of a beneficial representation, rather than an objective reality, of the audience. The more precise measurement gets, the greater the chance that results may reveal that advertising does not work as well as ad agencies or media companies currently believe and transact upon. Accurate measurements could mean that ad-sales departments would run the risk of seeing the value of their inventory drop and advertising agencies would lose business as brands would seek more effective ways of spending their marketing dollars. Self-preservation is not just contained to media companies and advertisers. Measurement firms, which rely upon subscriptions from agencies and media companies, want to ensure a steady revenue flow as well. "The people who are running and controlling those dollars, they also don't want to have anything to show that they're wrong" (Programming Strategist, personal communication, August 11, 2018). This begs the question of how much measurement firms value accuracy in their work.

Data Accuracy

In the beginning of this chapter, I mentioned that audience measurement, in its purest form, is capable of enhancing audience representation by giving viewers a voice and serving them with media content that is beneficial to them. However, we now know that the advertising regime that hovers over content flows not only compromises the authenticity of the production process, but also has tremendous influence over

measurement methodologies in the name of self-preservation for all parties involved. I am not implying that audiences are not sometimes served well by media companies. To be fair, there are plenty of examples of media companies listening to audiences and serving them content. Take for example the social media campaign #SAVEODAAT to revive the 2017 reboot *One Day at a Time* after its cancellation by Netflix in 2019. Because of the social media campaign to save the show, it was given second life on the CBS-owned Pop TV Network with its fourth season set to debut in 2020 (Villarreal, 2019).

However, one of the themes that emerged from my analysis of both, the interviews and trade press, was the lack of mathematical rigor that media companies and advertisers settle for when measuring audiences. When Nielsen Media Research became the agreed upon standard of content flow measurement for advertisers and media companies, the Media Rating Council (MRC) was created to be the self-imposed industry watchdog and regulator. According to the organization's website, the MRC's objective is to:

> secure for the media industry and related users, audience measurement services that are valid, reliable, and effective; to evolve and determine minimum disclosure and ethical criteria for media audience measurement services; and to provide and administer an audit system designed to inform users as to whether such audience measurements are conducted in conformance with the criteria and procedures developed. (MRC, 2019a)

A couple of terms in this objective should set off alarm bells. First, for exactly whom should measurement services be "valid, reliable, and effective?" Words like *accurate* or *equal representation* are conspicuously absent from these objectives, while terms such as *effective* seem to point to producing data that is designed to enhance bottom lines. Second, "determine minimum disclosure and ethical criteria" leaves questions as to how

much is a "minimum" when it comes to collecting personal information and what level of rigor is involved in ethically managing it? Also keep in mind that the MRC is a recommending body and holds no authority of enforcement over measurement firms. It is quite possible that the MRC is playing both sides of the field – on one side appearing as the regulatory body protecting the integrity of audiences, while on the other side promoting the interests of the industry.

The MRC is the accrediting authority for measurement firms to ensure their methodologies meet a standard, but research largely revealed a resistance to this process. While large firms such as Nielsen, Comscore, Facebook, Hulu, and Google are listed as being accredited for their measurement methodologies, there are only 19 additional television and Internet measurement firms in the U.S. accredited by the MRC (MRC, 2019b). This positions MRC more as a front to keep regulators at bay, because behind the scenes, first-, second-, and third-party audience data lack mathematical rigor and transparency. We can attribute this to the agenda of self-preservationists and the need to keep ratings of content flows as stable and predictable as possible.

> MRC is like spinach. It's good for you, people are glad that it's there, but not everybody is eating it. It's so complicated now and if you did everything that the MRC wanted you to do, you'd go out of business. (Ad Agency Data Analyst, personal communication, August 10, 2018)

Companies that apply for accreditation through the MRC are required to undergo a full audit of their data collection methodologies – a process that the applicant must pay for out-of-pocket. "It takes three to five years to get accreditation…it's a strenuous process" (Content Marketer, personal communication, August 17, 2018). While the process may be strenuous, it is important to keep in mind that an audit or ordered change in methodology also runs the risk of revealing a drastic change in measurement figures,

which is likely to scare media companies as well as advertising agencies that have established predictable revenues based on the measurement numbers they are currently using.

- I think that (Nielsen) is still best in class because results are predictable and they're logical and a lot of the analytics providers that I get data from, while it's more dynamic and you can segment it more…the problem is it bounces all over the place. It's highly volatile. (Media Intelligence Executive, personal communication, August 7, 2018)
- If I'm the provider, I could easily lose money because I'm charging too much because all of a sudden there's this over-delivery or I could be screwed the other way when the ratings were much lower than what I thought they would be (…) Anybody who pays attention to the measurement knowns that the quality in terms of being as rigorous, as statistically rigorous as it was 25 years ago just isn't there. (Ad Agency Data Analyst, personal communication, August 10, 2018)
- "At the end of the day, it's (the company) the advertisers want to use" (Audience Development Executive, personal communication, July 19, 2018).

Advertisers may dictate the C3 or C7 measurement that media companies abide by, but media companies also work to ensure they are presenting the best numbers to advertisers. For companies that are not reaching their measurement goals or are operating in OTT spaces, there is no shortage of measurement options available, although a majority are not accredited by the MRC. "When it comes to linear, we have our Nielsen ratings. But with digital, we have like 500 different programs," stated a programming strategist. (personal communication, August 20, 2018). Perhaps unsurprisingly, interviewees working with UPFs primarily praised Nielsen for its measurement. However, those working with niche audiences or in OTT spaces, revealed a distaste for the current state of measurement.

- "The irony of everything is that we all trust Nielsen, which is the worst place on earth…their samples are so screwed up and their system is so antiquated" (Programming Strategist, personal communication, August 20, 2018).
- We change (measurement) services all the time as new companies try to tell us, 'Here's a better way of measuring things and here's a better way of looking at things.' And so we're always changing and trying to use something to validate Nielsen. (Programming Strategist, personal communication, September 12, 2018)

Even those working with UPFs were sometimes quick to point out the inconsistencies in audience measurement in digital spaces as if to validate their own self-preservation tactics. Additionally, those working in digital spaces seem to be clawing for any measurement tool that will spin results in their favor.

- (On using first-party data) "We've done a lot of our analysis of our (first-party) streaming behavior because the data is just a little bit more manipulatable" (Media Intelligence Executive, personal communication, August 7, 2018).
- (On inflating the measurement results) "I wouldn't be surprised if it worked out that the actual projected numbers are higher than reality…I would guess that it's just how people project and model from an imperfect sample" (Data Analyst, personal communication, August 31, 2018).
- Everybody manipulates data for their own purposes and there's so much of that data to manipulate. You don't know what to trust. (…) The data at (my company) was conflicting with the data at (a competing company) and it was because they were manipulating it for their own benefit. (Programming Strategist, personal communication, July 24, 2018)
- Not to say that I would expect these major media companies to cook the books, but let's not pretend like they haven't and haven't done it many, many, many times and also it's different avenues, so of course somebody would do it, so there needs to be a third party. (Programming Strategist, personal communication, August 11, 2018)

These quotes reveal a couple of things. First, there is plenty of mistrust circulating around the industry. When it comes to measurement, ad agencies mistrust media companies, media companies mistrust measurement firms, media companies mistrust other media companies, and most players seem to mistrust any first-party data that is not their own. The cause of this suspicion can be contributed to the need to maximize and secure the most advertising revenue, but also results in softening the notion of the audience commodity because the measured audience, in most cases, is a fabrication of its actual self. In other words, the audience is not being accurately represented as it is, but rather how media companies see it and want it to be. Thus, the audience commodity is similar to a caricature – the way the artist envisions the audience hyperbolically is how it

will be represented to the public. This means that advertisers are paying for a commodity that is more figment than reality.

Media measurement primarily seems to exist for the benefit of delivering audiences to advertisers and maximizing monthly subscriptions. Media companies' massaging of measurement results, combined with an inertia-driven reliance on panel sampling for self-preservation, and non-accredited measurement firms supplying supplemental data, turns the audience more into a myth than a reality. The lines between content and commercials are blurring more and more as audiences find ways to dodge ads. But it is audiences' seemingly never ending thirst for content that give media companies the ultimate upper hand as online data collection techniques such as biometrics give companies unique insights into our feelings, reactions, thoughts, and relationships regarding media consumption. That data informs the content creation process, which in turn feeds into a rich CRM database that not only runs the risk of violating our privacy, but that advertisers can leverage to know our daily routines in order to appropriate our cultural identities and beliefs, and eventually sell it back to us in the form of ads that are designed to match our world view. And even media content that was created based on the feedback from audience measurement may very well be compromised by the inorganic integration of branded messages promoting consumerism. Unfortunately, what this all means is that I was not the first and certainly will not be the last to sell out an audience to a proverbial rubber duck.

Chapter 5

Regulation of Flow

When it comes to examining the parameters for which the television industry manages and measures flow, it is important to include the legal frameworks and decision-making that regulate the industry. The Communications Act of 1934 mandates that television broadcasters have an "obligation to serve the public interest, convenience, and necessity" (47 U.S.C. § 336**);** however, as television broadcasting has become increasingly commercialized and distribution has expanded to cable, satellite, and the Internet, private interests have effectively bought their way into the cultural form leaving to question whose interests is television actually serving. Therefore, it is critical to examine the regulatory landscape that plays a role in the ways flow is shaped, constructed, and purposed.

The Federal Communications Commission's (FCC's) regulatory oversight for flow is typically defined by the means of content distribution. In chapter one, I discussed some of the existing FCC regulations that impact micro-level flows for broadcasters, such as the Indecency Rules and the Educational and Informational (I/E) Requirements. Broadcasting UPFs over the airwaves is a distribution method that carries the most regulatory red tape because the spectrum space for doing so is scarce and is recognized by the FCC as belonging to the public (Napoli, 2019a). Therefore, broadcasters using that space are licensed and obligated to create micro-level content flows that should serve the public's interest. This is contingent upon becoming a licensed broadcaster.

Alternatively, cable and satellite MVPDs and networks face less FCC regulatory oversight because their distribution method of content flows to subscriber homes consists of proprietary cables they run from an MVPD's headend or the satellites they launch into outer space. However, rules are in place to ensure fair access to macro-level content flows provided by these distributors. The Program Access Rules state that a MVPD cannot be blocked from acquiring a channel's programming flow, unless for special business purposes, in order to provide it to subscribers (Communications Act of 1934, 47 U.S.C. § 548). Likewise, MVPDs may not block or prevent a channel's programming flow from reaching audiences, especially if the MVPD has ownership stakes in a particular channel and wants to withhold it from a competing MVPD (Communications Act of 1934, 47 U.S.C. § 536). Finally, MVPDs must carry local stations, including public, educational, and government access channels to provide the public access to production tools and means of distributing their own content flows (Communications Act of 1934, 47 U.S.C. § 534; Communications Act of 1934, 47 U.S.C. § 535). These provisions are designed to provide audiences with equal access to cable networks' UPFs regardless of the MVPD providing service in a specific locale.

The Children's Television Programming Rules (2019) is a rare example where the FCC wields regulatory power over the content of both, broadcast and cable/satellite channels' macro-level flows. The rules impose limits to the amount of commercial advertisements that can be embedded within children's macro-level programming flows per hour. The intention is to promote the use of public service announcements in the place of commercial time that would otherwise be targeting children with commercial products.

Government regulation concerning content flows within the OTT space are more complex because of their reliance on an Internet connection for audience access. The FCC does not regulate micro-level content flows online, but has had considerable impact on macro-level ones. As I will later discuss in more detail in this chapter, the FCC's recent repeal of net neutrality and Chairman Ajit Pai's promotion of zero-rating content (Dunn, 2017) leaves open the potential for Internet Service Providers (ISPs) to favor certain content flows over others. This means that for users restricted by data caps, content flows could be truncated when caps are reached or content flows that are not zero-rated might be avoided entirely. On a micro level, OTT content is subjected to FTC oversight and in chapter three, I discussed the advertising transparency requirement for social media set forth by the FTC (See Electronic Code of Federal Regulations, 2019). And then there is also the issue of the data commodity audiences produce through their labor within interactive audience flows utilizing an Internet connection. Privacy concerns over the tracking, selling, and security of this data collection raise questions of whether government intervention is warranted. The European Union's implementation of the General Data Protection Regulation (GDPR) (2016) in 2018 has provided a glimpse of what such a law may look like in the U.S. as media companies around the world, including the U.S., have been forced to comply. To date, no privacy laws have been passed in the U.S., but two bills have been proposed in Congress: Social Media Privacy Protection and Consumer Rights Act of 2018 (S.2728, 115th Congress; see also Napoli, 2019b) and the Customer Online Notification for Stopping Edge-provider Network Transgressions (CONSENT) Act (S.2639, 115th Congress; see also Napoli, 2019b). Both of these bills would mandate social media platforms to request permission from users

before collecting and storing personal information. They came on the heels of Facebook failing to protect users' privacy after a data breach was revealed concerning Cambridge Analytica misusing the personal information of users in 2016. However, the issue with a reactionary approach to privacy regulations is that it requires companies to be caught in a wrongdoing first before regulators act, and even then there are still no guarantees that anything of substance will be accomplished. Rather than regulators pro-actively providing a privacy framework that prioritizes audiences' interests over those of media companies, it is the economic underpinnings of the industry that seem to take precedence.

Micro- and macro-level content flows are also impacted by regulations concerning content ownership which can tilt the scales within the industry-audience power dynamic to the industry's favor. Regardless of the means of how content is distributed, copyright law plays a significant role in how media companies police the ways in which audiences interact with their content flows. Additionally, media company mergers and acquisitions approved by the Justice Department affect just how and where audiences can access content flows. Additionally, the resulting consolidation can greatly magnify the ramifications resulting from the regulatory decision-making mentioned above. Vertical mergers, for instance, can help companies leverage the repeal of net neutrality by using their distribution power to favor their own content flows by applying a zero-rating, thus placing competition at a disadvantage with audiences.

Because regulatory decision-making has the potential to greatly impact the way content flows are constructed, managed, and measured, thus threatening the profit-making potential of media companies, it should come as no surprise that the majority of

industry professionals interviewed displayed a general distaste for government intervention.

- "I worry, whether it's with data regulations, net neutrality, or a lot of stuff. We got people in charge writing legislation who really have no idea what's actually going on, on the ground" (Media Intelligence Executive, personal communication, August 7, 2018).
- The fact of the matter is that the industry is evolving very rapidly. (...) The bodies that provide the regulation simply can't evolve and adapt rapidly enough to regulate in a way that A) even understand what they are regulating, that's a problem…but we also have a government where, in a lot of respects, things are bought and paid for by corporations, so we don't have a government by the people so much as we do have a government for the corporations. (Measurement Firm Data Analyst, personal communication, August 21, 2018)
- At that congressional hearing, some of the questions are embarrassing (…) Did (these politicians) ever do stuff on the Internet before? (…) What they need to do is probably rely a little bit more heavily on some of the industry advisory boards…talking to some of the professionals, some of the people who are boots on the ground kind of thing. (Content Marketer, personal communication, August 17, 2018)

Each of these responses indicate a level of distrust in the capabilities of the federal government to properly regulate their industry, while also making a clear attempt to discredit the politicians, who the professionals see as individuals possessing very little knowledge about their industry. To be fair, one should expect industry players to be biased toward any sort of regulatory action based upon whether it threatens the business model of a content or audience flow or stands to help benefit it. For example, trade press coverage demonstrated this with its framing of the net neutrality debate, illustrating content companies against the repeal and ISPs in favor of it.

However, an industry bias was not the only ingredient baked into professionals' responses. Interviewees frequently acknowledged their own personal beliefs, which I often found to be in direct tension with their professional ones when it came to discussing regulatory topics. Furthermore, there was a larger disparity in the spectrum of responses,

ranging from the very passionate to the seemingly disinterested. Whereas the interview questions for the management and measurement of flow elicited responses that projected behavioral goals onto the audience, the questions concerning the regulation of flow seemed more often than not to garner personal responses, seemingly repositioning the professionals *as* members of the audience. Furthermore, job security and the notion of self-preservation undoubtedly played a role in how participants' attitudes were shaped toward the topics concerning the regulation of flow.

During the analysis phase of trade journal articles, there were four regulatory topics that emerged most frequently that proved to directly influence the shape and form of content and audience flow: *mergers and acquisitions*, *privacy law*, *net neutrality*, and *copyright*. In covering these topics, journalists seemed generally unconcerned with how regulatory decisions could impact the service of content flows for audiences. Rather, the audience was typically framed within the context of being a consumer or subscriber and translating to a ratings currency for media companies. However, the analysis helped inform my line of regulatory questioning so I could dig deeper into these areas with industry professionals and elicit more granular perspectives of the relationship between flow and regulation.

Before we delve into each regulatory topic, I think it is important to mention a couple of details about this research process. First, during the interview phase of this research, participants were invited to mention other regulations that they found to be important, but that did not emerge during the trade press analysis. Of the additional ones that interviewees mentioned, I found none to have a direct correlation to content or audience flow and have therefore omitted those mentions from results. Second, the

regulatory environment is very much a fluid one and I have made a conscious effort to continue to include updates to policies and proposals throughout the writing process in order to keep this research as current as possible.

In this chapter, I will discuss the nature of the key regulatory areas currently impacting flow, how each one contains potential implications for audiences, and the corresponding perspectives and opinions of industry professionals in an attempt to better understand the industry's motives.

Mergers & Acquisitions

In 2019, the Disney Corporation acquired 21st Century Fox after a lengthy process that included a bidding war with Comcast a year earlier (Littleton, 2018). This horizontal merger dominated the headlines not only because two media powerhouses were consolidating into one, but because of their impetus for doing so: Netflix (Littleton & Spangler, 2018).

Netflix's ability to curate both legacy and original media content in the form of a personalized planned flow (PPF) all for a monthly subscription fee much cheaper than that of the cable bundle, has contributed to audiences abandoning the broadcast and cable networks' universally planned flows (UPFs), or never subscribing to or watching them the first place. In order to lure audiences back and remain competitive, media companies have entered the OTT arena and are now seeking to consolidate their market power by merging with or acquiring other media companies.

There are two ways this can occur. Horizontal mergers involve two companies operating within the same marketplace combining as a single entity. Disney's merger with 21st Century Fox in 2019 is one of the most recent examples. While this practice

tends to expand a media company's content offering, it does not necessarily lead to an expanded reach throughout the supply chain of production and distribution. To achieve those ends, media companies may seek to vertically integrate, which would allow them to become involved in managing those various phases. Netflix has vertically integrated to take ownership of its original content production, whereas MVPD and Internet service provider (ISP) AT&T vertically merged with Time Warner Media to gain access to its vast content library and production studios.

Mergers are typically an attempt to deepen media library offerings to compete in what is quickly becoming a crowded PPF SVOD landscape. Additionally, it provides ISPs with content ownership rights that they can leverage not only as a PPF offering, but to attract new subscribers to their traditional UPF cable bundle, and/or to increase profits as larger amounts of library content can be bundled together for more expensive OTT/VOD and broadcast/cable UPF licensing rights. Antitrust laws have been typically strict with horizontal integration over fears of eliminating competition and harming consumers because the number of competitors within a market is ultimately reduced. However, regulators have historically been much more hands-off when it comes to reviewing vertical mergers because antitrust analysis does not traditionally view them as a threat to marketplace competition or consumers. While the Justice Department's guidelines for mergers do provide scenarios where vertical integration could theoretically threaten competition, they have essentially been a non-factor in court rulings as no vertical merger has been successfully challenged since the guidelines were implemented in 1984 (Downes, 2017). Meanwhile, the guidelines for reviewing horizontal mergers were last updated in 2010, demonstrating the government's heavier-handed focus on

keeping those guidelines up to date while essentially ignoring those outlined for vertical transactions.

The Department of Justice (DOJ) and Federal Trade Commission (FTC) are the two regulatory bodies that primarily share responsibility in reviewing mergers. There are three government-passed Acts that provide the framework for doing so. The Sherman Antitrust Act (1890) was passed by Congress in an attempt to prevent monopolies from suppressing a competitive marketplace (15 USC, § 1 & 2). Twenty-four years later, the Federal Trade Commission Act (1914) was passed which created the FTC as a regulatory body charged with ensuring a fair and a competitive marketplace for consumers (15 USC, § 45). That same year, the Clayton Act (1914) was passed to extend the regulatory oversight provided by the Sherman Act, but to help the FTC carry out its mission to protect consumers from unfair business practices while maintaining a competitive marketplace (15 USC, § 18). The 1984 Merger Guidelines stipulate that five objective factors are used to analyze mergers: market concentration as a result of the merger, conditions for entry into the marketplace, the acquiring company's advantage for marketplace entry, the percentage of market share of the acquired firm, and the potential efficiencies, such as streamlining processes, resulting from the merger. Decisions are intended to be made in regard to maintaining consumer health and marketplace competitiveness.

The AT&T-Time Warner vertical merger was passed without contingencies, despite a rare objection from the Justice Department (Romm & Fung, 2018). In this particular case, the Justice Department argued unsuccessfully that the merger would not only consolidate too much market power under one roof resulting in monopoly pricing

for consumers (Johnson, 2018b), but that enforcing the deal's behavioral remedies would be near impossible (Teitelman, 2019). A federal appeals court disagreed and the merger was confirmed (Johnson, 2018b).

This decision seemingly set off a domino effect of horizontal media consolidations across the industry that were also approved including Discovery Networks purchasing Scripps (Hayes, 2018), the aforementioned Disney acquiring 21st Century Fox, and CBS merging with Viacom (Low, 2019). It is clear that media companies are looking to bulk up their content libraries in preparation to compete in an OTT marketplace that to date, has been dominated by the already-established big portals of Netflix, Amazon, and Hulu. But while these horizontal mergers received scrutiny and came with structural remedies attached, vertical mergers have not. For the Disney-Fox horizontal merger in 2019, the Justice Department gave the greenlight provided that Disney divest Fox's 22 regional sports networks due to market concentration rules, which it agreed to do (Johnson, 2018a).

The argument that I often hear as to why regulators need not scrutinize vertical integration is because consumer choice within the media marketplace is healthier than ever with the nearly 500 new and returning television series continuing to be produced each year (Friedman, 2019a). Additionally, FTC Commissioner Christine Wilson, speaking at the 2019 Annual Antitrust Law Leaders Forum, stated, "A vertical merger does not alter concentration in any relevant market" (p. 4). Advocates argue that vertical integration increases production efficiency and is capable of producing more content at scale at a lower cost (Gershon, 2013; Waterman, 1993; see also Evens & Donders, 2016).

While there is certainly some merit to these statements, the surrounding argument is nothing more than a strawman.

Regulators should not lose sight of the way vertical integration impacts the different stages of the media supply chain: content production, distribution, and exhibition. First, there should be concern about a small number of distribution companies managing a large swath of production studios. Conglomerates such as Comcast and AT&T both own and operate MVPDs, television networks, production studios, ISPs, and portals. Despite the large quantitative output of production studios, the threat exists for a parent company of multiple studios to limit the diversity of ideas, streamline creative staff, and reject novel concepts that are not in lockstep with the company's branding or investors' demands for profit.

More importantly, this process is locking out individuals and independent investment groups that want to enter the field of media ownership. Through her examination of case studies in African American media ownership, Zook (2008) repeatedly demonstrates the challenges independent content producers and broadcasters face when trying to compete with media conglomerates. Expensive legal fees, high operating costs, and a fierce fight for audience attention is no match for large media companies that have the financial resources to streamline their entire operation. What ends up being sacrificed, according to Zook, is the community involvement and commitment of media groups to support local causes.

Speaking of raising the barrier to entry, vertical integration can also lead to the blocking of independent producers from being able to syndicate their original content due to the fact that a single company may own a large percentage of available distribution

platforms and prefer to favor its own content. Oba and Chan-Olmstead (2006), in their study of the U.S. television syndicated market, found that not only are vertically integrated distributors more likely to internally transfer their own proprietary content to their affiliates, these internal deals can also cause vertical foreclosure, essentially blocking competitors from acquiring content or preventing outside productions studios from offering content to affiliates, which severely raises the barrier to entry and limits content flow access for audiences.

Take a quick glance at some of the biggest portals and it appears we are witnessing a repeat of what Chris (2006) observed in her study of cable television following a flurry of vertical integration in the late 20th century. She discovered that already-aired broadcast content was frequently repurposed by parent companies to their affiliated cable networks as reruns. We are already seeing a similar situation occur with a majority of television content first premiering on broadcast and cable networks before then being repurposed to their ownerships' portals shortly thereafter. Examples include Disney's Hulu and Disney-Plus, AT&T's HBO Max, ViacomCBS' CBS All Access, and Comcast's soon-to-be-launched Peacock. If we take this one step further, vertically integrated content distributors that are also ISPs and control the last mile (such as a Comcast or AT&T) pose threats to favoring their own content delivery over a competitor's, an issue that has become magnified with the repeal of net neutrality, which I will discuss in greater detail later in this chapter.

Another vertical integration blindspot for regulators is the power of portals' recommendation systems. In chapter three, I discussed the impact algorithms have on the functionality of content discoverability within portals that can work against viewers'

interests. McKelvey and Hunt (2019) argue that "control over discoverability – including control over the databases that store vast amounts of information about our cultural preferences – represents a key form of platform power" (p. 7). If anything, the navigational functionality within a portal needs to be disentangled from its ownership's distribution functionality because once a platform is vertically integrated, it is impossible for a content provider to have a neutral role in providing users with navigation recommendations. Otherwise, viewers are more likely to be recommended the portal's proprietary content over its competitors' offerings, thus exerting influence over the structure of content flow and the resulting audience flow. Because the top portals offer so much content, users have little choice but to utilize the navigation and recommendation features offered. Therefore, navigational functionality should be considered its own entity on the value supply chain and be recognized as a key factor in vertical mergers.

If we compare this scenario to UPFs, you will find a subtle difference from the way UPF discoverability occurred. Twentieth century television primarily relied on audience navigation tools that were owned and operated by *neutral* third parties, such as *TV Guide* and electronic programming guides. Because these publications did not have a horse in the programming race per se, they were more likely to show the listings of every offering available to consumers without a conflict of interest. However, if a platform such as Netflix is involved throughout every stage of the supply chain from producer to exhibitor, they are more likely to game the navigational functionality of their platform in their favor by blocking or burying independent content. Therefore, PPF viewers rely

primarily on proprietary algorithms and platforms to function as programming guides, despite these not being neutral or even necessarily working in the viewers' best interests.

Economic experts argue that the current tools for regulating vertical mergers are not yet sufficient and Department of Justice Antitrust chief Makan Delrahim recently called the 1984 guidelines obsolete (Koenig, 2018); however, if we look to television's past, we will see that precedent has already been set when it comes to handling vertically integrated media companies. Between the years 1957 to 1969, the FCC discovered that the big three broadcast networks – CBS, NBC, and ABC – had increased their control over primetime programming flows from owning 38.5 percent of the content they aired to a whopping 75 percent of it (Edgerton, 2007, p. 279). Alternatively, independently produced content on the networks decreased during this time span from "32.8 to 5.4 percent" (Edgerton, 2007, p. 279). Alarmed by this growing vertical concentration, the Commission implemented the Financial Interest and Syndication Rule (Fin-Syn) in 1971 (Lotz, 2017), which curtailed the networks'(wholesalers') ability to control the suppliers (production companies) of original content. This lowered the barrier to entry for independent producers, Hollywood studios, and production companies such as Norman Lear's Tandem-TAT Productions and Grant Tinker's Mary Tyler Moore (MTM) Productions (Gross, 1997), and allowed them to deficit finance their programs to the networks for the right to later syndicate and sell them to local stations. Because domestic syndication delivers larger returns longitudinally than what the networks initially pay to premiere the content, the studios, and not the networks, stood to reap the greatest profits during the era of Fin-Syn, while improving the possibilities for a more diverse offering of content on the networks (Edgerton, 2007, p. 392). Following periods of deregulation in

the 1980s and the explosion of cable networks in the 1990s, the Fin-Syn rule was abolished in 1995. Almost immediately, production studios began vertically re-integrating with broadcast networks such as Disney purchasing ABC, Universal merging with NBC, and Viacom's 1999 acquisition of CBS.[11] This ushered in a new era where the suppliers (studios) vertically integrated with the wholesalers (broadcast networks), assuming a level of control over retailers (station affiliates).

While the Fin-Syn rule was in place, the big three networks opened their doors to more independent producers (such as the aforementioned Tandem-TAT and MTM) who could pitch ideas to the highest bidder or best offer. And although Hollywood studios such as Paramount and 20th Century Fox also took advantage of producing content for the small screen, their ideas were not necessarily restricted to one network's available time slots or creative constraints; they could shop an idea around until they found the right fit – an aspect that became even more pronounced with the creation of independent cable networks.

Nearly fifty-years after the enactment of Fin-Syn, we are seemingly repeating history as a handful of vertically integrated companies are controlling all facets of content flow – from the production process to distribution to content discoverability and exhibition. However, some in the industry see this consolidation as necessary to survival because of Netflix's vertical power. A media intelligence executive summarized it as an

[11] Viacom and CBS have had a long history of merging and separating. Prior to Fin-Syn, Viacom was the production arm of CBS. It was spun off to form its own entity 1971 as CBS complied with the rule, but then re-merged in the late 1990s once Fin-Syn was abolished. Viacom and CBS again separated in the mid-2000s, essentially reversing the 1999 merger; however, a new merger was announced in 2019 to form ViacomCBS.

"expand or die" (personal communication, August 7, 2018) proposition because of the Netflix effect.

Mergers and acquisitions directly impact the ways in which flows are likely to be structured and how audiences will access them in the near future. For Disney, acquiring Fox's assets means a deeper library of content divided between their walled garden SVOD platforms Hulu, ESPN-Plus, and Disney-Plus. For MVPD AT&T, acquiring Time Warner's media assets means they now control the last mile of Internet pipes, MVPD channel bundles, streaming platform HBO Max, and the content of HBO and Turner media properties. As companies merge and expand their content offerings, so will the number of SVOD services requiring subscriptions. Just as the number of cable networks exploded in the 1990s, we are witnessing a SVOD explosion in 21st century.

The key difference, however, is that companies like Disney are making it clear that their SVOD PPF offerings are secondary to their cable/satellite UPFs. When Disney unveiled their Disney-Plus SVOD application in 2019, chief executive officer Bob Iger delivered the message to investors that they did not want to cannibalize their UPF channels and a portion of new content would still be given UPF priority before it makes its way to the SVOD's PPF (Littleton, 2019). Similarly, NBCUniversal, owned by MVPD Comcast, announced that their SVOD would be free to Comcast cable subscribers while non-subscribers will have to pay a monthly fee (Steinberg & Littleton, 2019). Thus, even in this sprouting PPF environment, mergers continue to prioritize and steer audience flow toward UPFs first because this is where the lion's share of revenue is being made.

Interviewees expressed a range of reactions to these mergers taking place, speaking from the perspective of what presented greater benefit to their company to the value proposition for audiences. "From monopoly power of pricing versus the potential of reaching your consumer easier and more clearly with these large companies, I could see a scenario where both, kind of, are of greater importance" (Ad Agency Analyst, personal communication, August 10, 2018).

Advertisers are concerned about media content becoming too centralized because it could mean that ad rates will become more expensive as macro-level content flows have the potential to reach more eyeballs. At the same time, they are excited about the possibility of reaching bigger audiences as a result of consolidation, which is essentially playing right into their comfort level with UPFs and the notion of self-preservation.

> I think it's beneficial only because (mergers and acquisitions are) happening because (media companies) struggle in trying to validate this new data age…There's always the argument, "Well, too many big companies are monopolizing the market." This day and age where the nature of being able to reach audiences in so many different rogue ways and so many different folks can be empowered and word gets out very quickly that there's always an opportunity for the little guys out there...I think the barriers to entry are not as tough anymore. If you can do great stuff, there's a way to get it out there. (Communications Strategist, personal communication, July 28, 2018)

While I would agree that the Internet has lowered the barrier to entry for sharing content with audiences, I strongly disagree that it is easy for content producers to find an audience, even with "great stuff." We know that vertical integration typically leads to higher barriers of entry because of the proprietary navigational recommendations that platforms leverage to favor their own content over that of a competing company's. As mergers occur and OTT content flows move behind paywalls, there is also the question of how many SVOD services consumers are willing to pay for and how open those services

are to hosting independent content. If a user opts for YouTube, content will certainly need assistance from its recommendation system and influencers to find an audience, which it may or may not receive without paying promotion fees. From the perspective of OTT platforms, mergers not only result in deep content libraries, but a larger amount of resources that smaller companies have no chance of competing with if they launch their own streaming platform, and therefore will create an unbalanced playing field in terms of consolidated power.

> Hopefully (the merger) produces better content, but I think (merging is) necessary. You think of the costs. (Media) companies are sharky with their fat cat checks…they want to grow and make more money. (Mergers are) the way that these brilliant executives have come to the conclusion. (Mergers are) the only way we can grow money and not affect our bottom line, but increase our bottom line. (Programming Strategist, personal communication, July 26, 2018)

This economically determinist take on mergers may read as sarcasm, but the response was sincere and relates back to the Netflix conundrum facing media companies trying to expand their content flow offerings in order to drive revenue, which in many cases, is their primary goal. The term *sharky* was used by this executive to indicate the shark-like characteristics of companies to acquire smaller companies, a quality that this person admired.

> With the account managers, they're definitely excited because the more the mergers happen, the more data sets, the more viewers we have access to. So that really fine tunes our data sets, our audience, so definitely in terms of accounts management. In terms of sales revenues, (we're) very excited. (Measurement Firm Data Analyst, personal communication, August 14, 2018)

Companies forming conglomerates get a treasure trove of valuable audience data resulting from the content and audience flows they acquire, which can be aggregated and sold to third-parties at a premium for the purposes of targeted advertising or as intelligence for the purpose of creating future content.

When regulators turn a blind eye to vertical integration, they are doing the public a disservice. Too much concentrated power throughout the supply chain ultimately allows platforms to control the discoverability of content, centralize large pools of audience data, and take ownership of the production supply chain. This has the potential to impact all levels of how audiences navigate and consume micro- and macro-level flows, while simultaneously raising the barrier to entry for smaller, independent producers.

Copyright Law & Flow

As content and audience flows have become more interactive, digital tools more sophisticated, and social media use more prevalent, questions concerning the boundaries for how audiences and platforms are allowed to interact with and access content have become quite complex. The trade press and interview participants each approached copyright law very differently, but with a similar notion of utility. Whereas the trade journalists focused more on business-to-business dealings, interviewees discussed copyright on a more individual viewer level. However, in both instances, copyright law was used as a defense mechanism for protecting a media company's audience and content flows.

Nearly forty years ago, futurist writer Alvin Toffler (1980) saw great democratizing potential in the rise of the prosumer (the blurring of roles between producers and consumers). He foresaw technology allowing people to create, share, and collect intelligence long before Internet connectivity became a household mainstay. And while his vision became a reality, Toffler failed to predict that private interests would eventually capture these shared public spaces. As I discussed in chapter three, the

management of flow utilizes audience prosumption as an engagement strategy for expanding the reach of content to others while simultaneously extending audience flow. However, prosumption does not often mean that viewers are acting as free agents on their own accord; media companies typically prefer to carefully govern these actions while simultaneously maintaining a tight grip over their content. This is to ensure two things: that audience flow is being properly measured to accumulate the highest ratings possible in order to maximize ad dollars and that the micro-level content flow produced by the media company is not publicly used in a manner that could potentially damage the reputation of their brand.

When viewers, and especially fans of television content become producers of gifs, memes, fan videos, etc., they do so under the guise of a democratized media landscape (Jenkins, Ford, & Green, 2013; Jenkins, 2006). However, in order for media companies to protect their brand and ensure that audiences engage with their content in the most profitable and beneficial ways possible for them, a patriarchal environment emerges, where content owners desire the power to either approve or disapprove of viewers' creativity and cultural interpretation of the material. This results in a more restrictive audience flow where choices and options are limited and where user-generated content may not be allowed. The industry's primary means for policing this activity is with copyright law.

When the topic was broached in interviews, many professionals jumped directly into the topic of piracy and the focus of their company to prevent viewers from illegally copying and sharing content flows in their entirety. An audience development executive stated, "Every video that was copied of ours, so it would have (had) twice as many views.

It's a huge issue…they're sharing it like they made it or if they are streaming our thing live somewhere else" (personal communication, August 30, 2018). Many interviewees feared that totally agentic audiences hurt their ability to properly measure content and they were not getting the impressions they rightly deserved because audiences were copying, sharing, and engaging with it in ways that could not be tracked or measured appropriately.

When the executive in the above quote complained that their video "would have twice as many views," they were referring to all the impressions lost because people were taking it and sharing it where the views were out of range of the media company's ability to track and measure audience flow for the purpose of increasing ad revenue. This is also about competition and job security as measurement tells the story of which company has the most popular content or which producer has the most popular program. Thus, we know that measuring and tracking audience flows is understandably critical for industry employees to gauge the effectiveness of their work. But at what cost does this impact the audience?

> Sometimes it can be great marketing…you still want the network to be the one clipping the show or clipping the pieces and sending them out…you want users to create their own gifs and sometimes those can be the best ones. (Programming Strategist, personal communication, July 19, 2018)

While audience labor can provide free marketing benefits for media companies, the need for control is constantly present. Media companies have done their best to exert control over content flows using recommendation systems, auto-play, etc. However, it is much more difficult to control audience flow merely through a governmentality framework of limited choice. Thus, media companies use copyright law in place of guiderails to prevent audiences from going rogue.

> We are able to publish the media into that platform and allow consumers to go in, actually create their own clips and share them out on Facebook or Twitter. So we're trying to embrace the audience's desire to comment and share and sort of make it their own, while at the same time reinforcing a framework around our playback experience, our ability to measure and modify those experiences. (Broadcast Engineer, personal communication, August 24, 2018)

This quote exemplifies a governmentality framework, where on the surface, audience agency is promoted to "make it their own," but only when choice is limited and the audience's ability to create their own cultural expressions with the content is also limited. Any attempts to circumvent these boundaries and the cries of copyright infringement commence.

> (The media companies) create their own gifs, so I've seen that which I think is really smart, like, share this, but it was created by the network or the studio themselves…they're just being smarter and like, we consider us (the content owners) more creative. This is our content, we know it better and we can get better screenshots. (Programming Strategist, personal communication, July 26, 2018)

Again, the threat that companies see of losing control over their content is lurking in the background of constructing audience flow, so in a have-their-cake-and-eat-it-too scenario, industry executives want users to share and promote their content on their behalf, while attempting to maintain creative control over it. Statements such as "This is our content, we know it better," exemplify the patriarchal environment in which the professionals see themselves as the parents and audiences (including fans) as the children requiring guidance.

Originally, copyright law was created to promote the sharing of ideas, but as Sinnreich (2013) argues and as I think these quotes indicate, it is simply become a mechanism for private companies to control the flow of information and, as a result, choke the creativity of audiences and squelch technological innovations (p. 183). In

other words, these professionals feel that just because a smartphone can take a photo or edit a video involving their content, does not mean audiences should be able to freely participate in those activities without their consent. To be clear, I am not talking about piracy where an entire movie or television program is illegally obtained and distributed in its entirety. Instead, I am referring to gifs, memes, mashups, fan videos, and other creations that involve the application of new cultural meanings in what otherwise could be classified as what Sinnreich (2010) calls configurable culture (p. 70).

Thus, the industry views audience flow as a proverbial sandbox with definitive boundaries that media companies establish and expect the audience to stay within. Everything within the sandbox can be carefully watched and measured while any activity outside these boundaries is considered copyright infringement that requires policing.

However, not everyone interviewed for this research had a clear understanding of what those copyright boundaries entail. When asked about what constituted infringement, a majority of participants either did not know or simply said they refer to their legal teams whenever the need arises. For those that did respond, the rules appeared to be somewhat arbitrary:

> As a person who wants people to love the content we produce and to consume it in all different ways, you know if I was to draw a line in the sand, I'd do the same rule we have for our promotional video stuff in which we, I think it's anything more than eight minutes, it becomes something different… but at the same time, I'm not a lawyer and don't know if that's legal. (Programming Strategist, personal communication, September 12, 2018)

This creates a situation where the separation of labor directly impacts audience flow. The people who construct and design content flows are not necessarily the same people enforcing the boundaries of what audiences can do with them. Failure to understand these parameters places the audience in a precarious position because if they engage in a

way that a company's legal team deems wrong, they risk a takedown of their creation or worse, the removal of their online account. It is the equivalent of one parent giving a child a toy and then the other parent punishing that child for enjoying and utilizing all of its features. But just as copyright law can be leveraged to control audience flow, it can also be used to control, or really stifle, the companies creating the innovative tools audiences utilize for creative endeavors or rely upon for access to content flows.

A majority of trade articles focused on copyright legal issues concerning the inventions and innovations of businesses, rather than users, when it comes to flow. Articles framed copyright as more of a business-to-business issue, focusing on legal cases concerning companies altering and distributing micro- and macro-level flows without permission. A common complaint in the press concerned the Title II safe harbor provision of the Digital Millennium Copyright Act (DMCA) that safeguards platforms from being sued for hosting copyright-infringing material (See Digital Millennium Copyright Act of 1998). Media content rights holders do not like the onus of having to police content-hosting platforms for infringements, resulting in a whack-a-mole style game with manual takedown requests. But even in a business-to-business scenario, the effects of using copyright law for this purpose trickle down into audience flow and their ability to generate content.

In August 2019, YouTube announced it was altering its copyright policy for instances where music rights holders manually alert the platform to micro-level flows containing short clips of music (YouTube Creator Blog, 2019). Under the new policy, rights holders will no longer have the option of sharing in ad revenue with the creator of the video, so they can either request that the video be blocked entirely or leave the video

up, but bar the creator from earning any advertising revenue. YouTube has stated that they did this to deter takedown requests from copyright holders, in hopes of allowing content creators to more freely share their work.

However, the policy is a double-edged sword because any instance of copyrighted material, even in cases where fair use may apply, could easily result in the entire video being de-monetized, leaving YouTube to collect all the advertising revenue, or simply removed from the platform. An example could be a song, unintentionally, but briefly heard, in the background of a video filmed of children playing at a park. Within the micro-level flow of this content, the song is clearly insignificant; however, if the video is deemed popular enough, YouTube's PPF recommendation system could spread it far and wide, which could significantly boost the advertising revenue the creator collects. It is important to note that whichever decision is made by the rights holder, the creator of the content will not have the opportunity to appeal, so this new policy could very well result in this park video being de-monetized or completely removed and thus eliminated from YouTube's PPF recommendations. According to YouTube, this is not their intent, but removal is a potential side effect nevertheless, and in the end, it is the creator who is rendered powerless in their inability to defend their work.

It is not just creators that feel the pinch of copyright law preventing them from utilizing their creative abilities with audience flow. In terms of content flow, there have been a handful of court cases within the past several years where legacy media companies and studios have sued technology firms for what they deem as unlawful UPF distribution. In 2014, the for-profit technology firm Aereo lost a Supreme Court decision based on copyright infringement after broadcasters sued the company for redistributing its UPFs

illegally through wireless Internet (Spangler, 2014). The ruling was based on Aereo collecting a fee from subscribers without passing some of the revenue onto broadcasters similar to the retransmission agreements of MVPDs.

Four years later, however, a non-profit company named Locast essentially picked up where Aereo left off, only this time distributing over-the-air UPFs via Internet for free. Nevertheless, in 2019 the major U.S. broadcasters levied a copyright lawsuit against them charging Locast with copyright infringement of their UPFs (Roettgers, 2019). In each of these scenarios, the retransmission of flow can be seen as a trajectory outside of the broadcasters' area of control even though broadcasters themselves are using the spectrum space of the airwaves that supposedly belong to the public. With Aereo, profits were not shared with the broadcasters, but with Locast, it is a lot more complex.

Because these broadcast signals are freely available over-the-air and in theory, are meant to serve the public's needs, Locast argues they are providing a service, at no required fee, to audiences through an Internet connection just as an antenna would. Additionally, its technology consists of geofencing, so only the UPFs of local stations are available to viewers in a given locale. And because these are UPFs, broadcasters are retaining control over the structure and form of their flow, including any and all advertising revenue. According to the Copyright Act of 1976, nonprofits are afforded the right to retransmit broadcast signals to audiences:

> The secondary transmission is not made by a cable system but is made by a governmental body, or other nonprofit organization, without any purpose of direct or indirect commercial advantage, and without charge to the recipients of the secondary transmission other than assessments necessary to defray the actual and reasonable costs of maintaining and operating the secondary transmission service. (§ 111(a)(5))

This provision of copyright law would appear to protect Locast's nonprofit positioning; however, in May 2019, MVPD AT&T announced it was adding Locast to its DirecTV and U-Verse TV services (AT&T, 2019), in what appears to be an attempt to eventually circumvent paying retransmission fees for the rights to disseminate the broadcast networks' UPFs to subscribers. The following month, AT&T made a $500,000 donation to Locast to help the company spread to more U.S. cities (Eggerton, 2019). Locast launched in early 2018, but the broadcasters' lawsuit was not levied until after the AT&T announcements in 2019, meaning that broadcasters could view the AT&T deal as an indirect commercial advantage for Locast as well as AT&T passing along costs to consumers for access to the broadcasters' UPFs via Locast. Moreover, broadcasters likely see this as a threat to the subscriber fees they collect through MVPD retransmission agreements. Furthermore, one has to wonder if broadcasters' want to shut down Locast simply because of their inability to measure and track the resulting audience flow, which could ultimately mean paying Locast for access to that data.

Instead of embracing technological innovation, there is a cyclical history of legacy media companies using copyright law to stifle it. As Sinnreich (2019) observes, this strategy is designed to "limit competition and neutralize threats" (p. 204), which certainly fits within the narrative of the Locast case. Unless media companies can properly measure and monetize their UPFs, they are going to fight to stop it, regardless of how it may be of service or benefit to the audience.

Copyright battles between rights holders and technological innovators have been occurring almost every decade for the last forty years. In each case, the rights holders fight to preserve their control over audience and content flows. Universal Studios and

Walt Disney Productions sued the Sony Corporation in 1978 over the Betamax VCR, alleging that it allowed viewers to commit copyright infringement through the recording of television programming flows and subsequent time-shifting and librarying of content without the permission of the programmers (Bower, 2002; Sinnreich, 2019; See *Sony Corp. of America v. Universal City Studios, Inc*., 1984). In 1984 a decision was reached with the Supreme Court narrowly ruling in favor of Sony, citing fair use, as the technology giant could not be found culpable for how its consumers used its equipment.

Roughly fifteen years later, the DVR company ReplayTV found itself in a similar legal battle. Their DVR was equipped with more robust features than their primary competitor Tivo. Two of those features, however, included automated commercial removal from UPFs and media sharing capabilities between users (Carlson, 2006, pp. 108-9; See *Paramount Pictures Corporation, et al. v. Replay TV, et al.,* 2004). The major broadcast networks and studios sued ReplayTV claiming the company was illegally altering their UPFs and that sharing media constituted copyright infringement (Carlson, 2006, pp. 108-9). Their central argument was that flow – comprised of program content, promotions, and commercials –actually constituted as one long program. In 2002, Turner Broadcasting chief executive Jamie Kellner likened viewers' skipping of UPF commercials to that of theft because it was altering the program and thus violating its copyright (Kramer, 2003). Kellner saw this as a breach of contract on the part of the audience because some, if not all of the programming costs were being covered by the advertisers, which equated into one unified flow. Lawyers representing the media companies demanded that Sonicblue, the manufacturer of ReplayTV, develop a way to

track every button click of its users (Harmon, 2002). Heavy litigation costs forced ReplayTV into bankruptcy before a ruling occurred.

Over a decade later, satellite provider Dish Network's AutoHop DVR allowed for automated commercial removal and it, too, was sued by the major broadcast networks because again, they argued that removing commercials altered their UPF. Some of the networks settled with Dish through reworked retransmission agreements; however, the Fox Network remained in the court battle and after two and half years of litigation, a federal judge ruled in 2015 that the AutoHop did not violate copyright law (Patten, 2015; See *Fox Broadcasting Company v. Dish Network LLC*, 2015). The judge found that "AutoHop neither copies nor distributes anything" and therefore did not violate the law (*Fox Broadcasting Company v. Dish Network LLC*, 2015; See also Healey, 2015). However, the broadcasters that settled with Dish benefited from their copyright infringement claims by increasing their retransmission fees.

These cases exemplify the wrestle for control between programmers, technology, and viewers over the ownership of content flows and subsequent need to track audience flow. When a new technology is created, the industry either tries to adapt it into its favor – meaning measurement and monetization – or attempts to get rid of it completely. So instead of copyright law being used to promote new ideas and innovations, it is instead an industry tool used for making threats and pursuing self-interests. The DMCA was ratified in 1998, long before contemporary forms of social media, advanced streaming technologies, and other Web 2.0 applications existed, making it rather inept at being able to handle such a technologically advanced landscape that exists today.

Thus, the industry uses copyright law as a tool for managing both, content and audience flows in order to achieve the means of controlling and preserving them to maximize the possibilities of measurement and thus, monetary benefit. And although the trade press and interviewees pointed to copyright infringement hurting profits, Sinnreich (2019) has shown this not to be the case. A programming strategist stated that the reason copyright infringement is pursued is because, "none of this works; none of creating this content works if people don't get paid for it" (personal communication, September 12, 2018). And while I agree that workers should be compensated for their labor, media economist Joel Waldfogel (2018) argues that artists continue to create and share their work despite piracy and that the nature of copyright law should be determined by an evidence-based approach rather based on the anecdotal complaints media conglomerates present to Congress. Thus, the primacy of the law appears to be more intent in stifling innovation than it is for incentivizing creators. Even dating back to the Sony Betamax case, the court ruled that the VCR was not hurting the marketplace value of the plaintiffs' content flows, as Disney's and Universal's media profits had significantly increased year over year during the litigation process (Bower, 2002).

Therefore, what is needed is for media companies to rethink their approach to the governmentality of audience flow and the ways in which technology can help audiences configure new cultural meaning and gain access to information that serves the public's interest. Whereas Jenkins' (2006) and Jenkins, Ford, & Green's (2013) framework for participatory culture fails to recognize this, Sinnreich's (2010) configurable culture neatly details the shortcomings of audience flow for consumers: platforms are rarely democratized for users, unlevel power dynamics exist in favor of private interests, and

copyright law is utilized to prevent, rather than incentivize, prosumption. Technological innovations need to be critically assessed, but not shut down. Some companies allow this to happen while others do not. One mashup video on YouTube may be allowed while another one may be taken down. The decision is simply at the discretion of the copyright holder where a creator is presumed guilty before proven innocent. It is a patriarchal system where the giant media companies hold all the cards and audiences, who are being encouraged by those same companies to engage in content flows, are being prevented from realizing their communicative and creative potential. Creativity sparks innovation and that should be the root of copyright law, rather than stifling and preventing competition from occurring – especially when enacting a fair use defense is virtually impossible on most platforms. Until a proper balance is struck, media companies will continue to weaponize copyright law to patrol the borders of their audience flows, thus giving audiences no choice but to explore trajectories around it.

Audience Privacy

In previous chapters we have discussed how media companies leverage strategies for enticing audiences to engage in social media and interact with content that comprises an audience flow. We have also discussed the valuable commodity that results from this flow: personal data.

When audiences engage in content flows, media companies and digital platforms can extract personal data from a variety of locations. First, users often offer up personal details about their lives in profiles, social media posts, who they follow, and the content in which they click "like." Second, just about every digital service that we install on our smart devices requires an agreement to service that could easily result in device tracking

and data collection from information contained on the device or with the required information entered into the application during the registration process. Third, companies offering newsletters, fan clubs, or giveaways will gladly accept your e-mail address and any other personal information that they can then connect back to social media accounts or sell to third-party companies. Finally, ISPs and software applications can take all of this data and sell it to a customer relationship management company (CRM) so that it can be combined and curated into a robust profile attached to a unique numerical identifier.

Currently, ownership of this data belongs to private interests, rather than the audiences that create it, and is instrumental in informing companies about the effectiveness of content flows as well as aiding marketers in targeted advertising. This brings to light the issue of privacy within the scope of regulation given the sensitive nature of personal data and the dangers inherently present in the misuse of it, especially considering the large amount of personal data that audiences release on social media.

The regulatory landscape concerning media consumer privacy within the U.S. is quite limited in scope. The Child Online Privacy Protection Act (COPPA) falls under the purview of the FTC and was established to protect the privacy of children under the age of 13 by limiting online platforms' ability to collect personal information about them (15 U.S.C. §§ 6501–6506). In many cases, social media platforms, which are known to extract plenty of personally identifiable information from audience flows, do not make their services available for anyone under the age of 13. Thus, the extent to which content flow becomes interactive is much more limited for children than it is for adults, although with a legal guardian's permission, children under age are permitted to participate.

The Cable Communications Policy Act of 1984 restricts cable franchises from collecting and disseminating personally identifiable information of customers external to what is required to provide or detect cable television service (47 U.S.C. § 551). However, this does not include the web browsing habits of customers, which can be collected by ISP's, including cable Internet providers, and shared with third parties. In April 2017, President Trump repealed the FCC's Broadband Consumer Privacy Rules that were scheduled to take effect later that year and would have prevented ISP's from sharing and selling customers' web browsing data without their permission (Lohr, 2017). The argument for this repeal was due to the lack of data protection regulation surrounding online platforms such as Facebook and Google. Instead of attempting to extend privacy regulation, Congress and the President chose to repeal it. Now, browsing histories that provide an entire overview of online audience activity can be collected, sold, and shared, adding yet another layer of monetization to audience flow that is completely out of the hands of the audience. Not only do individual platforms and measurement companies record and collect online user activity, but ISP's can gain a bird's eye view of a customer's entire audience flow, creating a valuable commodity for advertisers and centralizing a lot of personal information into one place, which then becomes a security concern for a possible data breach.

The topic of audience privacy was one of the most prevalent topics discussed throughout the interview process and analysis of trade journals. Whereas articles primarily framed the topic around data breaches, data security measures, and the impact of privacy regulation on businesses, individuals addressed it from a more individual

human level, often times discussing their personal perspectives while acknowledging a tension between what was best for them versus what was best for their company.

In an ironic twist, the engagement activities of interactive audience flow that professionals regularly encourage viewers to participate in are the same ones they take preventative measures against as individuals:

> As a consumer, I'm a total hawk when it comes to what's going on with my consumer data and privacy issues, so you know, I've been involved in building social media products in the past and I am aware of how consumer data is utilized to monetize, so I've been very hawkish myself. I'm an advocate for even more consumer protections. (Broadcast Engineer, personal communication, August 24, 2018)

By being "hawkish," this broadcast engineer explains that they take precautionary measures to block companies from retrieving their data when they become part of an audience flow. Although they did not specify which ones, examples mentioned during other interviews included virtual private networks (VPNs), disabling cookies, and using privacy browser extensions.

- I run an ad-blocker also, which by the way, don't tell anyone because that's anathema to, you know…. I think we are out of balance and I don't think it's a good, the way in which data is just sought at every turn. (Content Producer, personal communication, August 9, 2018)
- I have a plugin installed…it's an ad-blocker and it's set to block any advertisement and any domains on the backend of it from happening to you. I'm perfectly comfortable being advertised to; I understand it's a valuable way of making things available that would otherwise cost, but I'm much more comfortable with the newspaper model of advertising…so you pay to put an advertisement there, but it's not so individualized and programmatized or they're trying to reach specific individuals based on their behavior. (Measurement Firm Data Analyst, personal communication, August 21, 2018)

It is hard to tell if these quotes indicate hypocrisy or simply the power of media literacy, or perhaps both. Because individuals working within the industry are wise to how it operates, they have the power to make educated decisions for protecting their privacy

while engaging in an audience flow, while the average television viewer may not. Furthermore, these quotes indicate that some industry workers feel that using personal data for targeted advertising crosses a line that violates their trust. When a data analyst says they are "comfortable being advertised to," but then has to explain why they need to use an ad-blocker to prevent being targeted by advertisers, there is an indication that something is amiss, especially since advertising revenue is what is driving the business for which they work. It is a sign that tracking has become too invasive and the data collected too detailed even for industry professionals' comfort levels. Social media platforms that serve as entry points to cultivating audience flow are typically filled with intimate details and personal data concerning users' lives. The data analyst added:

> I'm a hypocrite to even be working in this industry, and particularly in the measurement portion of it because my own personal life and my own ethics, I found the level of invasiveness and tracking and the like that's involved in this industry, particularly digitally terrifying and Orwellian. And even though in theory we aggregate and anonymize a lot of this, that's a lot cleaner of a narrative than it really is. (Measurement Firm Data Analyst, personal communication, August 21, 2018)

As we learned in chapter four, proper scrubbing of the data does not always occur and then there is also the dangers of a data breach. Other professionals I spoke with echoed similar sentiments of fear while at the same time acknowledging the importance of obtaining/using audience data resulting from flow to help their company remain competitive in the audience and advertiser marketplace:

- "On one hand I'm like, creeped out; on the other hand, as a business I know that data is so valuable" (Communication Strategist, personal communication, July 28, 2018).
- I want to be kind of careful with how I answer this because obviously we want as much customer data as we can get on our platforms and sites, so I think a lot of it comes down to like, how you, what you're collecting and how you are using it…. It's where it gets going to third parties…who knows what that could be and what

> it could be used for. And I think that's really where my fear always kind of lies. (Programming Strategist, personal communication, August 11, 2018)

Many companies have stances on data security and privacy with the expectation that their employees recite them when questioned by reporters. In some cases, interviewees would only provide their company stance, while in others, they clearly indicated that they were answering the question as a civilian rather than industry professional. The quote above indicates the attempt to straddle between the two by opening with, "I want to be careful with how I answer this."

- I am all for data privacy. I am so for it. I've been a victim of identity theft and it was done online. (…) I think that people want to surf (the web) safely and not have to have their data being mined or recorded. Why? Why do I want people targeting me? Why do I want people knowing what I like and what I don't? (Programming Strategist, personal communication, July 24, 2018)
- I'll be very straightforward with you. I tend to be very private; I don't share information about me very easily with people. (…) As a consumer I think I would want – my fear is that I'm walking around and everything that I do is being digitized and recorded. (UX Designer, personal communication, August 15, 2018)

I found it genuinely surprising that multiple participants specifically used the term *fear* to describe the way their data is collected and used by the industry for which they work and promote these practices. It is analogous to a chef fearful of tasting their own food, but fully endorsing it to their restaurant customers. And just as the customers are not aware of the chef's feelings or what goes on in the kitchen, media audiences are putting trust into a pseudo-relationship with media companies without really being aware of its motives for getting them involved in audience flow in the first place. A measurement firm data analyst with which I spoke spent a good deal of time explaining all the terrific tools and metrics their company uses to precisely track audiences better than their competition. However, when it came to privacy, their tone changed dramatically:

> So I'm for the industry and what will help us make sales, but at the same time, I'm an individual and I don't want people getting really, like really in my business that I don't understand what they have and how they have it. (Measurement Firm Data Analyst, personal communication, August 13, 2018)

As more and more personal concerns such as the ones shared above surfaced throughout the interview process, it was interesting to see how these were then transferred to perceptions of the audience. I think the best way to describe it is again, in the patriarchal terms of parent and child, where the industry serves as the former and audiences as the latter. Multiple participants believed the audience was in need of protecting because they believed them to be either unaware of the dangers of audience flow data collection or incapable of implementing safeguards to protect themselves.

- "I think most consumers don't realize how much they're giving up when they innocently click certain things. We need more education at a minimum about this and that's actually something that I think about a lot" (Content Producer, personal communication, August 9, 2018).
- Consumers are, just don't really understand how their activities and their preferences and so forth are being used and mined by any number of firms out there…. I don't think consumers have a clear understanding of how their data is being used and I think what's missing is some clear labeling type approach which says, "Warning, when you use this service, (the platform) is using your data to target ads at you." (Broadcast Engineer, personal communication, August 24, 2018)

Responses such as these reinforce the patriarchal themes relating to the industry-audience power dynamic that have surfaced throughout this research. The use of copyright law to enforce strict guidelines for creativity, governmentality (to limit choice under the guise of agency), and windowing (to tell viewers when and where they can access content) can all be considered forms of control that aptly fit under the umbrella of parenting. However, rather than taking measures to nurture and help audiences grow (as in developing a knowledgeable and skillful collective community), the industry instead prefers to exert an overabundance of control in order to maximize the benefits of their labor, all while

harvesting their personal data to better manipulate them into sustaining longer audience flows and more loyal future engagement. A UX Designer commented, "I think we just don't know what people are doing with our data and how they are using it and I'm speaking in general, the general public, we just don't know" (personal communication, August 22, 2018). A UX designer using the term *we* to describe the general public illustrates that collecting, selling, and using audience data goes well beyond the scope of any one individual. The separation of labor is so great in this sense that even industry employees that are key players within the design and implementation of flow are unaware of how their personal data is being harvested and into whose hands it is falling.

This inability of knowing how, when, and where your data is being used is what a data analyst from an ad agency believed was primarily the problem. "It's not the privacy that's the problem for consumers, it's the deception and that's, I think that will undo a lot of this and people just continue to get upset about it" (UX Designer, personal communication, August 10, 2018). Essentially what this person is saying is that audiences do not care that much about their data, but rather they care about transparency and want to know what is going on behind the scenes with their data. And statistics show this person may be right.

In May 2018, the European Union passed the General Data Protection Regulation (GDPR) that took aim at raising the bar for consumer data protection by forcing online companies to provide audiences with opt-in consent standards for releasing their data and making it easier for individuals to access the personal data that companies have collected about them (Burgess, 2019). Because of the high level of difficulty in separating out European consumers from American audiences, digital media companies in the U.S. have

to comply with the law or run the risk of receiving hefty fines. However, in over a year since the law first went into effect, research shows that consumers choose to opt-in to sharing their online data more than 90 percent of the time (Kong, 2019). The assumption is that users rush through the process and simply default to opt-in to sharing their data in order to hastily access an online service or quickly get the information they are seeking. On the other hand, it may also speak to the high level of trust that audiences assign to media companies that result in automatically clicking "yes." Of course, there is also the repetition of receiving the privacy control notices every time a user accesses a particular site.

> I, as a consumer, am just forever frustrated by, you know, just to name one thing, that every time I load a webpage that I get a goddamn, you know, push notification or, "We'd like to get your this about you," and I always say no, because that's my choice. (Content Producer, personal communication, August 9, 2018)

While this professional is certainly in the minority of clicking "no," I can offer some additional theories as to why an overwhelming number of individuals grant permission. Perhaps over time, audiences are tired of making a decision about this and simply confirm hoping to avoid the pop-up message in the future. We have also been conditioned over time to believe that agreeing to a terms-of-use contract is necessary in order to gain the full benefits and utilization of a website or digital service. People may be operating under this assumption for GDPR.

These pop-up notifications seeking data permissions are essentially a recurring interruption to interactive audience flow. However, they may also be an effective method for media companies hoping to preserve the data commodity produced by audiences while still maintaining the appearance of transparency and agency for the audience. In

granting this access, users are taking a risk of releasing their personal data to companies that, on the surface, promise security, but may ultimately be unable to live up to that promise.

- (My company has) very specific privacy restrictions in place for all of their brands and all of their products. We follow those guidelines and with that, I'm confident that, (pauses) I don't know that we're completely 100 percent innocent, but we're as innocent as they come. (Audience Development Executive, personal communication, July 19, 2018)
- "We're investing a lot more in security than we ever have and we're probably under investing based on the way things are going" (Broadcast Engineer, personal communication, August 24, 2018).

As interviewees talked about their company's pledge to protect personal data, some stopped short of making blanket statements indicating that perhaps not everything is safe and secure for protecting the data gleaned from audience flows. In the first quote, the executive diverts from the company line on privacy security measures, but reassures that they are at least in the upper echelon of the industry. But what does this mean when the media industry has been prone to acquisitions, mergers, and data breaches, such as the massive one Sony Pictures suffered in 2014 when employees' personal data were hacked (Peterson, 2014)?

Of all the participant responses I received concerning data privacy, an audience development executive offered a rather unique opinion. "I guess my feeling is personally that I'd rather, if (my personal data is) going to be tracked anyway, I'd like there to be as many eyeballs on it as possible because typically that leads to accountability" (personal communication, August 30, 2018). This individual explained that essentially making their personal data public would reduce its market value and be more likely to alert them to questionable or unethical uses of it. This suggestion of an open property rights framework seems problematic due to the lack of oversight for those with access. Instead,

Napoli's (2019a) argument for aggregated user data to be considered a public resource appears more tenable because of the inherent regulatory protections baked into the notion that it is collectively owned and intended to serve the public's interest. Access to this data would be limited, just as is the broadcast spectrum, and therefore, the same regulatory broadcast guidelines would apply, requiring an obligation for the data to only be used in the name of public service (Napoli, 2019a). Although advertisers likely, but erroneously, believe they are providing a public service, user data should not be made available in cases of for-profit means.

Of all the individuals interviewed, none expressed great concern about privacy regulations affecting their job. Some acknowledged that tougher laws could limit the data they collect, but this concern was quickly balanced with the idea that their individual privacy as a consumer would improve.

Although registering for a social media platform may be considered a voluntary action, it is quickly becoming a social norm and necessity for accessing and communicating information. But as these platforms become more integral to accommodating media companies' audience and content flows, the question remains as to how much the public understands when it comes to privacy literacy.

> I think it's a question for the general public to answer. I mean, the public has voluntarily signed up and given so much of their life to Instagram, their photos, their videos. They've done the same for Google…they've done it for everybody. They're doing it for (OTT portals) as we speak. I guess the overall question is, "Does the public really care?" (Content Marketer, personal communication, August 11, 2018)

We know that very rarely are privacy policies or terms-of-use contracts deemed reader-friendly or that individuals take the time to carefully peruse them. Without the public possessing the same knowledge as industry professionals, I think the questions should be

changed from, "Does the public really care about data privacy?" to "What does the public really know about data privacy?"

Net Neutrality & Zero-Rating Impact on Flow

Over the course of the time period of my trade articles analysis (2014-2018), no regulatory topic concerning flow was covered more than that of net neutrality. This is because the rules were enacted by the FCC in 2015 as an expansion of the Open Internet Order of 2010, but then officially repealed by the FCC in 2018, which eventually led to the House of Representatives passing a reincarnation of the rules called Save the Internet Act in 2019 that resulted in a block by the Senate (Kelly, 2019).

Net neutrality is of central importance to the distribution of audience and content flows because of the television industry's shift to online UPFs and PPFs by OTT services such as SVODs and VMPVDs. The basic concept behind net neutrality is that all Internet content must be treated equally by broadband/cable providers over the last mile (Ruiz, 2015). In 2015, the FCC passed a set of net neutrality rules by reclassifying the Internet as a public utility under Title II of the Communications Act which meant ISPs were regulated as common carriers (Ruiz, 2015). In 2017, however, the FCC repealed the rules by re-classifying the Internet as an information service. The repeal took effect in June 2018 and meant that ISPs could now favor one content flow over another via a zero-rating or charging a streaming video platform a fee to access its pipes in a so-called "fast lane."

Streaming video content requires a healthy Internet bandwidth and data plan, which has a direct impact on the accessibility and viewing quality of content flows, especially when a media company owns both, the pipes and the content. A key

component to this is technical convergence, or how data streams of voice, sound, and images are being combined into a single mode of transmission (Babe, 2011, p. 135). Streaming OTT platforms such as Netflix, Hulu Live, and YouTube require large amounts of bandwidth compared to simpler forms of information retrieval such as email. This has created a changing point of control for media companies. Whereas previous government policies have been linked to technological infrastructures, convergence has caused a disruption so that software platforms managing the pipes are now what control content flow distribution (Bar & Sandvig, 2008, p. 546). Prior to net neutrality rules being implemented, Comcast was caught throttling the peer sharing network Bit Torrent in 2008, while using a congestion management system that was capable of favoring certain types of content over others (Baumgartner, 2018). After the FCC's involvement, Comcast claimed to switch to a system that was media-agnostic in managing congestion. Interestingly, the system was completely deactivated when net neutrality was repealed in 2018.

Even when net neutrality rules were in place, ISP's such as Comcast were finding ways to circumvent them. It is not uncommon for these companies to impose data caps on their services, which then place limits on how much data a consumer can use within a billing period. For instance, in 2016, Comcast announced a one-terabyte data cap for its MVPD cable Internet service (Statt, 2016). These caps come with the threat of either paying a bigger monthly bill or simply getting cut off (or throttled) from accessing a content flow until the subscription plan refreshes the following billing cycle. To resolve this and simultaneously skirt around the fair play intention of net neutrality, Internet providers privilege certain content through a practice called zero-rating (Finley, 2017).

This involves media companies paying Internet providers a fee to have their content not count towards a user's data cap or simply favoring their own proprietary content holdings (as a result of vertical integration) over their competition's. As a result, zero-rating greatly influences audience decision-making which can impact the direction of audience flow. For example, let's say an Internet provider grants Netflix a zero-rating so that a user can consume Netflix's content flow without the worry of going over their plan's data cap. While Hulu and Netflix may be accessible to this user at equal streaming speeds, the user is immediately deterred from subscribing to Hulu's content under the threat that the service will be severely limited once the data cap is reached. Thus, OTT platforms are no longer on a level playing field and smaller ones will certainly be at a disadvantage if they cannot afford the fee to gain favor by an ISP. Under net neutrality, the practice of implementing a zero-rating was highly contested by former FCC Chairman Tom Wheeler (Brandon, 2017). However, when Ajit Pai was appointed FCC Chair by President Trump, he endorsed it, along with leading the eventual repeal of net neutrality (Dunn, 2017).

Some SVOD players have attempted to combat zero-rating by allowing users to take their content flows offline by downloading content in advance onto their device that will not count against their cap when they are not within range of a Wi-Fi signal. This allows users to play back content locally without relying on connectivity or risking their data caps. However, an issue with this practice is that it fundamentally imposes limits to a PPF that a user may not necessarily want. For one, it requires more forethought and planning from users to download what they want to watch in advance which is counterintuitive to how SVOD flows are intended to operate where audiences select what

they want to watch in the moment. It also precludes users' abilities to watch live content and truncates the possibility of constructing a continuous flow.

When covering the repeal of net neutrality, trade articles voiced concern for companies that were not vertically integrated with an ISP because they now run the risk of having their macro-level content flows placed at a disadvantage in reaching audiences. Some articles provided the standard talking points that net neutrality prevented Internet Service Providers (ISPs) from investing in or upgrading their technological infrastructure, although none provided empirical evidence to support this claim. When discussing the impact that the repeal may have on audiences, it was primarily about the possibility of paying more to access OTT content flows.

Discussing net neutrality with professionals yielded vastly different results from the information provided by the trade press. First and foremost, I was surprised at how many industry professionals did not fully grasp the concept of net neutrality or had no opinion about it. A small sample of the responses included statements such as:

- "I probably start to get a bit out of my depth when it gets to net neutrality, so I'm not trying to avoid it; I'm probably not the best person to ask from where I sit" (Media Intelligence Executive, personal communication, August 7, 2018).
- "Frankly, I can't keep track of what's what. I think that nothing should be throttled and nobody should be favored. I don't know what that is" (Content Marketer, personal communication, August 20, 2018).
- I don't think I have the broadest understanding of net neutrality, but the kinds of fast lanes, slow lanes type things, or the ability to pay more for a more premiere position on someone's browser. It doesn't really affect (me). (Audience Development Executive, personal communication, August 30, 2018)
- "I haven't even thought about it to be quite honest. I don't really have a strong opinion on it. I don't really understand it well enough" (Communications Strategist, personal communication, July 20, 2018).
- You bring in 10 Ph.D. candidates and we sit them in a room and I tell you all to write: define net neutrality in one paragraph. I'm going to get 10 different definitions of net neutrality. I'm sorry, I just think it's one of those things that has been boiled down to be simple, which is fine, and I like when concepts are simplified, but simple in a way that no one understands what it means. People

protest for, some people protest against, people yell at this. I get controlling the gateways, but I feel like we're doing that in many ways already and I do believe in net neutrality and I think it's good. I just think it's become so complicated that when people say, "What do you think," I'm not sure what I'm opining on anymore. (Programming Strategist, personal communication, August 20, 2018)

- "It really doesn't affect me so much. I don't have enough value bite on that" (Communication Strategist, personal communication, July 28, 2018).
- "I wouldn't really know one way or the other" (Measurement Firm Data Analyst, personal communication, August 14, 2018).

This disconnect illustrates a potentially serious challenge within the industry for workers to fully understand the audience experience and the impact regulatory decisions have upon it. Just speaking in industry terms, the measurement of audience flow does not occur inside a vacuum and could very well be affected by the viewing selections audiences make based upon the parameters of the Internet plan they have or the business partnerships their ISPs hold with media companies.

Probably more serious were the interviewees who had not considered the effects of the net neutrality repeal until our conversation. In a particular exchange with a content distributor that primarily works within the OTT ecosystem, their initial response was, "No. (It will not affect me)" (personal communication, August 16, 2018). However, after I followed up with the concerns of an unlevel playing field, they replied, "Yea, that could be a possibility. I'll say yes, to some degree (the repeal of net neutrality) will affect me, yes" (personal communication, August 16, 2018).

In a similar exchange, a programming strategist that also works within the OTT space, initially stated, "I'm for repeal. I think that (OTT portals), they're basically using, I understand where the (MVPDs) are coming from. 'You're using our Internet to crush us,' basically…(MVPDs) laid down all this fiber for over years." (personal

communication, July 26, 2018). Again, when I reiterated the possible issues OTT companies could face trying to distribute their content to audiences, the strategist replied:

> That's true, it would definitely hinder smaller companies, smaller nets (networks), for sure. It would definitely hinder the smaller nets because they're trying to get their content out as well. Not just smaller nets, (but) smaller OTT services, smaller streaming services. (personal communication, July 26, 2018)

If the people responsible for the construction and curation of content flows are not fully invested in understanding the regulatory parameters and possibilities that could affect their business model, how can audiences expect to be properly served or understood? This is also contradictory to interviewees' responses to data privacy where many saw the audience as naïve when it came to protecting one's data. In the case of net neutrality, the shoe is moved to the other foot where I found myself having to explain the basic tenets of the rules to a surprisingly large number of participants. It demonstrates the importance and need for industrial and governmental policies to undergo thorough critical reviews from neutral third parties and why industry imposed self-regulation may not be an effective solution, especially when public service is concerned.

Of the concern expressed for audiences, professionals that demonstrated a firmer grasp of net neutrality spoke primarily of possible price hikes for consumers.

> I've heard business leaders say that regardless of what happens from a legislative perspective that we won't as an Internet provider or, Internet providers won't charge more for higher speeds, or I'm saying it wrong, but you know what I mean. So even though it's the law, "we won't do it." Who knows if that's true? I've heard people in the industry say that we want to keep the Internet free and open regardless of what the law says. People on the Internet service providers side, now is that, is that them? If that's B.S., then we'll see what happens. I hope not, but I would hope to believe that. (Media Intelligence Executive, personal communication, July 31, 2018)

As macro- and micro-level content flows migrate online, there is ambiguity to how exactly ISPs are going to handle their new found freedom of managing the last mile

without the restrictions of net neutrality. And while a management strategy of audience flow calls for companies to build trust with their audience, the above quote sways us away from a sense of blind trust and instead to keep a watchful eye on their actions.

- I think net neutrality is a big one because that does change who has the power and that does limit or that could limit who sees what. It also could increase costs, not just to the companies, but to the subscribers, which will just further divide, create divisions in audiences. (Programming Strategist, personal communication, July 19, 2018)
- I was all for net neutrality because it allowed everybody to be on a level playing field. Now we're going to go into a tiered system, which is only going to benefit conglomerates and screw over the, just the general user. I am so for net neutrality; I'm kind of sad that it's going away…. It's so above our paygrade that, but it also affects me, so I'm invested. But I know that won't, I don't have any voting power. I can complain, I can protest, but it's going to make no difference. (Programming Strategist, personal communication, July 24, 2018)

The feeling of powerlessness expressed here reminds us just how vast the media industry is and that even people we would consider to be high-ranking executives are limited in what they can do outside of orchestrating content and audience flows. The once-outspoken proponent for net neutrality in 2014, Netflix adopted a much more noticeable laze-faire approach as the rules were headed to repeal in 2017 (Shields & Shaw, 2017). Many believe this was because Netflix became powerful enough to afford a fast lane, while many of its smaller competitors could not. This in theory could give Netflix a tremendous advantage in reaching audiences and make for an even more unlevel OTT playing field. The irony in this is that Netflix was allowed to benefit and grow in a neutral environment whereas their future competitors will likely not get that same opportunity.

> I just find it terrible an Internet provider can throttle the data to (an OTT portal) because (that portal) won't give them kickbacks or won't give them any of that or even to push it off onto the user and say, "You've got to pay two dollars more because you have a, you use a streaming service." I find that not a friendly or fair marketplace. (Programming Strategist, personal communication, September 12, 2018)

Audiences could certainly end up paying a premium to access certain content flows due to the priority given via fast lanes; however, many of the responses regarding net neutrality viewed the audience within the narrow scope of subscribers, which I believe limits the industry from understanding the bigger picture of how audiences make media selections and enter into audience flows. For the reasons discussed above, a user's ISP could simply be enough to steer them away from certain flows due to a data cap or zero-rating. From a personal standpoint, my wireless carrier grants zero-ratings to certain SVOD PPFs and music streaming services. I have now become so accustomed to using those handful of services that I do not even consider trying other options. Zero-rating was a loophole in net neutrality that media companies exploited even when the law was in place. Pickard and Berman (2019) argue that net neutrality rules are not enough and further steps need to be taken to ensure a more democratic Internet system such as breaking up ISP monopolies such as Comcast, imposing public interest obligations on ISPs, or completely sidestepping the commercial ISPs and getting municipalities to create their own broadband service. From a flow perspective, the latter option would certainly aid in removing the conflict of interest that vertical integration has provided to conglomerates such as Comcast and AT&T which provide Internet service, but are also owners of content.

Out of all the interviews, only two participants with knowledge of net neutrality approached its repeal from a stance of indifference:

> I think some of the arguments are a little Chicken Little about the effect that this reversal is going to have at least in the short term. So again, you'll probably talk to others who have a greater expertise in this area, but I do not stay up late at night worrying about that. So I'm on the record as saying I think the world would be better off in a world of net neutrality and of course I'm weary of the possibility that, in the absence of net neutrality, yeah, big large corporate gate keepers who

> control bandwidth could, could manipulate it to their advantage, but it's not, I don't know if it's going to really be a big game changer. (Content Producer, personal communication, August 9, 2018)

I found it interesting that the middle of this statement poses some serious risks to the availability and access to content flows ("large corporate gate keepers who control bandwidth"), but it is sandwiched around a demeanor of calm indifference and doubt. And remember, this is coming from a content producer who relies on OTT platforms to distribute their work to audiences. This could be due to their belief that ISPs and wireless carriers will not try to violate the now-repealed net neutrality rules given the current heightened awareness surrounding it within our society or perhaps their employer is already well-positioned to compete within this ecosystem.

> I gotta be careful because we do have a company stance on this, but on a personal level, I don't understand why they're trying to overturn this or flip it. I'm not a businessman, I don't know how these Internet companies are going to sort of charge for the premium content and so forth. If this happens, I put my faith in the FCC and that they're a lot smarter than I am and they'll make the right decision, but it's just based on what I've read, it scares me a little bit. (Audience Development Executive, personal communication, July 19, 2018)

This particular quote was also quite interesting because again, an executive acknowledges that a company stance exists for a regulatory topic and they appear hesitant to contradict it. When I asked what their company's stance entailed, the participant declined to communicate it. This could be that the stance runs opposite to their belief, they were afraid of it being easily identifiable to readers, or perhaps they simply were unfamiliar with it at that particular moment. In either case, their faith in the FCC is a bit perplexing given that the FCC was the regulatory body leading the charge for repeal that has greatly impacted the audience flow landscape that this audience development executive works directly in. This response illustrates that the name of these regulatory bodies have a

reputation that can outlast a change in personnel and philosophy during a certain political cycle. The same can also be true for media companies that construct and control flow, and puts into question the relationships of trust that these companies want so badly to develop with audiences. Unlike the tenets of one-on-one human relationships, the relationships formed with brands and media companies may look consistent on the surface, but the people, motives, and philosophies behind the scenes could change quickly without the audience questioning it or realizing it.

At times, professionals are clearly at odds with their personal self-interests when it comes to evaluating regulatory measures impacting content and audience flows. The desire companies have to control content flows in order to maximize the data produced through interactive audience flows creates a tension between the values held by industry employees and those of audience members. Laws such as copyright are often weaponized by rights holders to prevent audience creativity and stifle technological innovation in the name of tighter control over flow. As mergers and acquisitions result in an ever-shrinking field of media companies, macro- and micro-content level flows run the risk of being siloed, offering less diversity and little creativity due to production processes being consolidated under one roof.

> We also have a moral obligation and are we willing to fulfill that moral obligation? Most times not because it won't benefit us. And that's just the way it is, but imagine that somebody morally stands up and says, "Hey, we're not doing this." How much of a benefit would that be for everyone? (Programming Strategist, personal communication, July 24, 2018)

The guiding question concerning regulation should always be, "How is the public being served?" Unfortunately, other interests often take priority and, because of financial stakeholders, companies are rarely willing to take a moral stand, especially if other

companies are not willing to follow suit. However, as the majority of interview responses indicated, this often-heard great fear of government regulation being imposed and stymying the media industry was essentially non-existent. At the end of the day, the professionals with which I spoke seemed to be more concerned about regulations impacting their personal well-being as individual consumers rather than as media professionals.

In the conclusion that follows, I offer possibilities for what future television systems could look like, including perspectives offered by industry professionals and some of my own opinions as to how audiences can attempt to regain an upper hand within the industry-audience power dynamic.

Chapter 6

Conclusion: Future of Televisual Flow

Audiences have been misled. Streaming was supposed to be different from the legacy television models of the twentieth century. But alas, the primary strategy behind televisual flow in the U.S. continues to be attracting, sustaining, shaping, controlling, and measuring the attention and engagement of audiences for as long as possible per session and as frequently as possible longitudinally. The notion that SVOD and OTT portals are disrupting these strategies is far from reality. Instead, what is being disrupted is the audience as television viewers are now working harder than ever and producing more value than ever for media companies.

Since the birth of commercial television in 1941 (Poggi, 2016), universally planned flow (UPF) has been the most profitable form of content delivery for networks and stations. The Internet and its ability to host, individually curate, and digitally distribute television content on-demand has disrupted the UPF model insofar that it can harvest viewer data to offer audiences a much more interactive and personalized experience: (a) content has the ability to be uniquely curated for individual viewers, (b) it can be accessed from a variety of devices, (c) interactivity allows for cross-platform engagement, and (d) without the confines of a pre-programmed 24-hour broadcast day, a large content library offers a wider variety of choice. Audience measurement in digital is a lot more precise than its distribution predecessors – perhaps too much so for industry practitioners – and media companies have not figured out a way to monetize the space at the same level of profitability as the older UPF model. For one, subscriptions are prone

to turnover much more easily in the OTT environment than with the UPF bundles of a MVPD. Binge viewing and OTT platforms dropping an entire season of a show at once means that viewers will burn through content at a much quicker rate. Additionally, advertising rates do not fetch nearly as much monetary value with OTT because of audience fragmentation. This is because fewer people watch the same things within a given time period and through personalization, ads are specifically targeted in an effort to reduce waste.

It is for these reasons that media companies are somewhat trapped. On one hand, they feel the pressure from investors and self-preservation-minded employees to hold onto their UPF cash cow for as long as possible. On the other hand, they need to acknowledge that large percentages of viewers are migrating to the less-profitable OTT environment in their never-ending competition to entice viewers into their content flow and not disappear from the public's attention. What results is a bait-and-switch marketing approach by the industry where the freedom and agency touted by OTT technologies is never fully realized and audiences end up being served a product that is less innovative and more status quo.

It is not a question of whether televisual flow will be relevant a decade from now, but rather what will its shape, form, and regulatory makeup look like. Interviewees spoke of the future in broad strokes, with many reiterating uncertainties.

- "In a sense, maybe we're just recreating with new brokers a bundling" (Producer, personal communication, August 9, 2018).
- "We may not be here in five to six years or we'll be here, but not exist the same way that we used to" (Programming Strategist, personal communication, July 24, 2018).
- "There are all sorts of possibilities in social settings that you cannot get right now in this sort of fairly linear, singular space" (UX Designer, personal communication, August 15, 2018).

Although legacy media companies were at first reluctant to enter the OTT landscape in fear it would cannibalize their quite lucrative UPF business model, Netflix essentially forced their hand in doing so, by purchasing the companies' syndicated UPF content rights and using their own legacy content against them to lure subscribers to their streaming service. The resulting new flow demolished the one-size-fits-all approach of UPFs and instead marketed itself on personalization and customization, all while being primarily device agnostic for audiences. But as the number of competing platforms grows within the OTT sphere, the commitment of portals to serving audiences has been overshadowed by ownerships' desires to accrue capital gains. Raymond Williams (1975) lamented the broadcast network-like direction in which cable television was heading when he identified cable networks as a disruptor to over-the-air programming and now the same can be said for OTT portals as a disruptor of cable. "The choice which is offered as a fruit of the new technology is a choice only within this repetitive dimension" (p. 141).

In this chapter, I plan to address several factors that I attribute as integral for understanding what the future holds for televisual flow and will offer some ideas as to what audiences can do to take back control of their television consumption while still retaining the unique benefits of PPFs. I will begin by identifying the concerning strategic management, measurement, and regulatory practices for flow in terms of audience agency, security, and general transparency. Second, I will look at the existing and future legal landscape that could directly impact the shape and formation of content flows, stressing the importance of an educated audience. Finally, I will propose an idealized model for a democratized flow and also provide a method for which consumers can take

back control of their content flows from industry players via a do-it-yourself (DIY) approach.

Red Flags of Flow

Throughout this project, I have attempted to shine light on the ways in which media companies exert control over audiences for their own benefit. The structure of the media industry is an unbalanced one at best, so in the hopes of inching the pendulum back the other way, I offer six red flags of flow. Because any good social movement begins with an informed base, there are several warning signs audiences should be aware of when entering into a televisual flow:

Red Flag #1: PPFs Share Common Traits with UPFs

Media companies are determined to preserve their most lucrative business model and are strategically designing PPFs to operate more like their UPF counterparts, deploying windowing strategies that favor UPFs or implementing marketing and content strategies that are designed to steer audiences to UPFs. These companies, including PPF-only firms such as Netflix, have incrementally limited the agency of audiences under the guise of freedom of choice. What started as viewers flocking to the OTT environment to declare their freedom from paid commercial interruptions, universal flows, appointment viewing, and expensive cable bundles has devolved into precisely those things, but perhaps even more egregiously. Like an onion gone bad, each layer of audience agency has rotted from the inside out so that what may still seem like an idealistic television experience from the outside, is actually similar to the old televisual flow model on the inside, but with bigger issues at stake.

From a user perspective, initiating a PPF can be somewhat labor intensive. Upon navigating, selecting, and entering a portal, the viewer must next select a piece of content to watch and then at its conclusion, select another piece of content, and so forth. As the auto-play feature was marketed by the industry as a solution for this labor-intensive work, it essentially has become another nail in the coffin for audience agency within the OTT environment because it can sustain a linear flow similar to that of UPFs. Portals may even begin playing content from a recommendation algorithm that is essentially a surprise to the viewer, but with hopes of getting them to stick around and watch a new series. In other words, the auto-play feature overrides audience agency by turning the once dynamic and interactive PPF into an environment of convenience via automated programming, which is essentially a passive UPF, because the portal is assuming control of the content flow. The only difference is that the viewer initiated the feed from the outset. For the industry, auto-play assuages these agentic capabilities in order to lull audiences into a sustained linear flow for long periods of time. These strategies are clearly working towards the goal of keeping flow financially lucrative through sustained viewership/subscribership and inertia. Without auto-play enabled, it is a lot easier for viewers to migrate to a different portal or perhaps choose an entirely different activity. This is why auto-play is an opt-out feature on most portals. The irony in all of this is that OTT viewers that escaped from their UPF-dedicated MVPD bundle in favor of a more user-centric PPF, may once again find themselves passively watching an automated linear flows.

Red Flag #2: UX Design is Not Always Designed for the User.

When it comes to content organization in OTT portals, UX design presents itself as being user-centric, relying upon artificial intelligence and algorithms to learn the individual tastes of each subscriber and curate content just for them. Additionally, subscribers are likely to be able to make a playlist or queue that they can customize to their liking. On the flipside, UPFs arrange content the same for every viewer on a fixed grid, with each MVPD assigning channel numbers without consumer input. Furthermore, UPF channels are sold by MVPDs in bundles whereas Netflix streaming began under the guise of a la carte content flows.

However, a closer look at OTT portals and you will see their reputation of being user-centric largely precedes themselves. Because portals can offer more content through their library than that of a 24-hour UPF broadcast day, subscribers may be overwhelmed with choice. User experience design can help streamline this process by deploying recommendation algorithms, although as we now know, these formulas are more likely to serve the portal than the user, effectively serving the same purpose as the legacy television promos that Williams (1975) discussed, but with a lot more potential effectiveness for the portal. Not only are a majority of subscribers being served these promos through featured tiles, personalized suggestions, or auto-plays, but they can instantly access and screen platform recommendations without the additional labor of remembering what day and time the program airs. Thus, OTT portals appear to exert the same, if not increased level of persuasive strategies for content discovery that MVPDs put into curating their channel grids and menus.

For the viewer, OTT promos are likely to be suggesting content that the portal wants a mass audience to watch, rather than something an individual viewer is actually

interested in. And although portals can be subscribed to a la carte, the content that makes up their possible PPFs is essentially bundled. As conglomerates such as Disney, ViacomCBS, and Comcast silo their proprietary content into their own OTT portals, subscribers will begin to see a bundling of content taking place where they will have to pay for a portal in order to get streaming access to one of their favorite programs. What results is very similar to the UPF business model of bundling channels to MVPDs: Get access to one piece of content, but pay for a bunch of other content in which you may have zero interest. Viewers also need to assess the content that is not being served to them through these search and recommendation algorithms.

Red Flag #3: Commercial Advertising Retains its Strength.

In addition to being subjected to content promos, paid product integration is becoming common practice within PPFs even though OTT portals' reputations typically encompass being commercial-free. Instead of inserting traditional (and sometimes unnatural) breaks within program content to sell products or services, some PPFs opt to insert paid sponsorships directly into the content. Whereas Williams (1975) was irked by the American commercial break, it is difficult to imagine that he would be a proponent for compromising the art of storytelling by forcing writers and producers to shoehorn paid advertisements or product placements into a program's plot. Product integration is another example of the cyclical process of PPFs resembling the characteristics of UPFs, as it was common for television programs and characters in the mid-20th century to feature paid advertisements directly within the context of the show. Although to be fair, networks were not also collecting monthly subscriber fees when these placements originally took place.

Red Flag #4: Prioritizing the UPF.

Earlier in this section, I likened OTT portals to that of an onion. As we peel back the layers of OTT PPF strategy, we get closer and closer to what resembles a UPF. At the core of this onion is the UPF itself. As a parent of young children, I noticed in 2019 that the PBS Kids portal re-designed their OTT application to feature its local affiliates' UPFs as the first recommended viewing option. As soon as you enter into the portal, the UPF auto-plays in a prominent tile that takes up a third of the screen, while the individual show tiles are much smaller. My children often immediately settle for the UPF rather than request that I scroll through the tiles of PBS shows where they would have the agency to select a specific title on-demand. Furthermore, if an on-demand selection is not made within 60 seconds of entering the application, the UPF is automatically converted to full screen mode, deterring viewers even more from taking the time-consuming steps of exiting the UPF and waiting for the PPF menu to re-load. Full disclosure, this prioritization of UPF does have its merits; it has helped my kids avoid altercations over which program to collectively watch. However, it is yet another example of prioritizing a UPF over a PPF and inserting automation as a point of convenience. Comcast's new streaming service, Peacock, is set to debut in 2020, and the MVPD is currently offering the service free to its Xfinity cable subscribers. The significance of this is that if viewers do not prioritize UPFs into their consumption habits, then the industry is going to do it for them – either by reducing the agency surrounding PPFs or by simply inserting and prioritizing UPFs directly into the UX design of their OTT portals. For certain content, portals such as Hulu and Disney-Plus play a secondary role to networks' UPFs and can

only exhibit broadcast programs after they are first made available within the legacy model.

Flag #5: Data Collection.

Given the invasive direction data collection is heading, audiences would be well served to begin reading or more closely examining the terms of service and privacy policies that come attached to their SVOD services and connected devices. This is paramount to preserving privacy, which is essential for retaining control over personal data. Privacy is not about protecting things that you would not want others to see, but rather remaining in control over the release of personal information. Audiences should be the ones making the decisions about what information they release and to whom they release it; however, we know that too often they hastily agree to terms of use contracts or ignore the privacy settings of software applications to even be aware of what they are giving up. With biometrics likely expanding to a large scale operation in the future and customer relationship management firms aggregating and connecting every data point from our physical and virtual daily lives, society is on the crest of a full-blown "behavioral futures market" (Zuboff, 2019, p. 8). By understanding the terms of the transactional process at stake, audiences can make a more informed decision, even if that means resisting the service entirely.

Flag #6: A New Barrier to Entry.

As competition heats up between media conglomerates fighting for attention in the OTT space, audiences need to take notice at the consolidation occurring. Typically, horizontal integration is closely scrutinized by regulators due to its very visible impact on a particular market (i.e., two competitors merge creating less competition). However,

vertical integration, which we now know directly impacts content flows, has been given a free pass.

This lack of oversight is puzzling given the number of negative side effects that result from vertically integrating media companies. Diversity of ideas and creativity are limited to a select few that own the entire production supply chain. This suppresses the chances of content being made with diverse representations of race, gender, and sexuality. Media companies that control both, the distribution and production of content gain the upper hand in deciding what deserves a zero-rating or the price of a fast lane. In the absence of net neutrality, this is certainly an issue to keep an eye on. And then there is the control over the UX design of platforms, where algorithms can be authored to favor content that the platform owns or values over all other content.

All of this equates to a new challenge for individual producers, writers, and independent production companies trying to exhibit their work for audiences. Media consolidation has resulted in a select handful of platforms owning a majority of audience attention, which means smaller, independent entities have little choice than to play by the rules established by institutional powers. Vertical integration has created a very unlevel playing field that ultimately impacts the audience experience of consuming content by limiting access to a diversity of ideas.

These six red flags of flow are designed to help audiences think twice about the decisions they make when accessing content. Looking ahead, it is reasonable to expect the industry to continue on this trajectory of selling PPFs as something entirely different from, but in reality similar to, UPFs. Preserving the qualities of UPFs is at the heart of

the industry's business interests, even while they continue to deceivingly market the freedom of choice and agency to subscribers.

Regulatory Future of Flow

In July 2019, Missouri Senator Josh Hawley proposed the Social Media Addiction Reduction Technology (SMART) Act, that if enacted into law, would impact the structure and form of content and audience flows by restricting certain content delivery services on social media platforms. Portals such as YouTube would be theoretically prohibited from using flow strategies that include, but are not limited to, endless scrolling, video auto-playing, and artificial intelligence (AI)-powered recommendation systems. The motivation behind introducing such legislation, according to the bill, is to protect audiences from the manipulating and psychologically addictive strategies that media companies use to control and maintain audience flows.

At face value, this sounds somewhat logical considering how many people are glued to their devices on a daily basis; however, a more critical examination reveals that this type of regulation may actually be more anti-audience than it is anti-industry. The terms, as they are defined in the bill, appear to strictly target platforms that host UGC content and would severely curtail individual creators' ability to attract and sustain an audience flow while elevating access to professional content. Netflix and other media companies that leverage auto-play within their portals would not necessarily feel the impact of this legislation because users do not create content for the platform. In other words, this bill could very well result in limiting the agency of audiences to share creative works, and instead preserve the most effective content flow strategies exclusively for professional industry creators only.

Additionally, this bill seemingly creates a class structure of flow, where amateur video content is deemed to have lesser value than that created by the industrial complex. In the early days of broadcast television, television stations in the U.S. would conclude their broadcast day in part as a response to regulatory requirements by the Federal Communications Commission that required a human operator on the premise at all times.[12] Because some stations were owned by wealthy parent companies that could afford to hire additional employees to work overnight, an unlevel playing field emerged where less profitable stations that could not afford additional employees were forced to curtail their programming flows. A similar scenario seems plausible with the SMART Act, where user-generated content is curtailed while media corporations leveraging strategies for binge-viewing are left untouched. In theory, this would deter media companies from embracing features of social media, thus squashing interactive features in favor of the old one-way broadcasting model.

However, it can also be argued that legislation such as this is actually regulating the user and not the platform. Whereas TV stations would sign off for the night, viewers knew that there was no more content to consume on that channel – the broadcast had ceased to exist. But with this bill, the direct opposite would be occurring. YouTube and other portals would still be producing new content and creating entry points for new audience flow, but the user would not be able to easily access it because their continuous PPF or recommendation algorithm would hit a stopping point. Fear of missing out

[12] Prior to 1995, there was a provision in the Communications Act that required all licensed broadcasters to have a human operator on duty to oversee the transmitter during broadcast times. Because the costs of paying a person outweighed the low number of people tuning into flow during overnight hours, many stations elected to sign off during late night hours and then begin a new broadcast day the following morning. In 1995, the FCC recognized the automated capabilities of broadcasting equipment and repealed the attended operation requirement (FCC, 1995).

(FOMO) is a common emotion marked by heightened sense of anxiety and felt by digital users when they disconnect from social media. Because portals would still be on, but users' flows made temporal, it would seem likely that FOMO would reach a fever pitch amongst users if the SMART Act was enacted into law. And even if SVODs such as Netflix are included in this bill, the thought of making the OTT ecosystem more labor intensive for viewers could help drive audiences back to the media companies' more lucrative and less labor intensive UPFs that they so much want to preserve. Hence, if the bill is serious about helping users limit their social media use, it should be regulating the activity of the industry, not the users' devices.

But there are larger concerns regarding regulation, namely the commodity of personal data resulting from audiences accessing portals, social media, and any aspect of an audience flow on behalf of a media company. Maintaining a digital presence for these companies creates a scenario where the media industry can have its cake and eat it too. Offering PPFs and maintaining cross platform audience flows enable media companies and portals to harvest the personal information of its subscribers. This results in a commodity for sale as well as something media companies can use to understand the ways in which content is consumed for platform (and likely sponsorship) optimization.

In addition to the approaches to regulation already discussed, it is of the utmost importance that the public educate themselves on the dynamic of consuming and participating in content flows. I recognize that this is shifting onus to the audience, but given the current institutional structure of the media landscape in the U.S., a bottom-up approach for sparking change offers greater possibilities. Additionally, if audiences are

to gain control over their content flows, taking responsibility to do so puts them in better position to achieve results.

To do this, we need to focus our attention on the U.S. Department of Education and implement technology and media literacy curricula throughout all levels of K-12 education. No such standard currently exists nationally in the U.S. and although many individual states mandate some sort of a technology literacy program, it is more likely to focus on best practices for using databases, how to use social media platforms responsibly, or how to find a job/apply for college. California's Department of Education has one of the more robust programs at the state level, but even their curriculum does not appear to address data and privacy until high school (California Dept. of Ed., 2019), which is too long after children are already using digital devices and developing habitual consumption patterns.

This literacy program should specifically address the issues outlined in this project concerning data collection, privacy tactics, the ways in which data are used, and how users can make informed decisions with their digital agency. We need to arm American citizens with the technological skills necessary to provide greater agency and knowledge, allow them to make wiser decisions, and make transparent the ways in which industry players operate. It is already commonplace to find computers, smartboards, and tablets in elementary school classrooms; but while children are taught to use the technology, there is no indication that they are taught about how it works, how to use it responsibly, or when to resist it. We have already witnessed celebrities, influencers, and athletes face public pressure for controversial or racist social media posts they composed in their youth. A lot of this has to do with an antiquated education system that has failed

to adapt to its 21st century surroundings combined with the misplaced trust society ascribes to technology companies and the resulting audience flows that will forever follow us. As a parent, I worry about my own kids' ability to see the larger picture and understand that the content flow they are engaging in today will leave a lasting trail of audience data behind it. To me, this should be a fundamental learning subject for students of all ages. Sparking an interest in critical technology literacy also has the possible benefit of promoting other STEM (science, technology, engineering, and math) initiatives to young students.

In additional to privacy and media literacy, audiences should also be aware of how the future of flow may be greatly impacted by a certain kind of horizontal integration known as conglomerate diversification. In 2016, Amazon founder and chief executive Jeff Bezos said something at the annual Code Conference that, to me, signaled an important shift in the audience commodity debate regarding content flows. Speaking about Amazon Prime Video, Bezos said, "From a business POV for us, we get to monetize that content in an unusual way (…) When we win a Golden Globe, it helps us sell more shoes in a very direct way" (Bergen, 2016).

Whereas Smythe (2014) and others who followed in his footsteps saw UPFs as enabling the packaging of an audience commodity for sale to advertisers that could then teach them to be consumers, present day PPFs seem to be more about luring an audience to become instant buyers at the benefit of the media company, rather than third-party advertisers. Amazon Prime members enjoy shopping perks that range from exclusive discounts on certain products to the popular two-day free shipping on all purchases made. Because of conglomerate diversification, Amazon Prime Video is essentially a means of

attracting more attention to its online marketplace and any attention it receives has the potential to convert shoppers into immediate buyers. And if you are like me, you probably know multiple people who subscribe to Amazon Prime without ever bothering to access the video portal aspect. Instead, they strictly subscribe for the free shipping benefits and the perks of buying products from Amazon. Televisual flow, specifically PPFs, are becoming a loss-leader commodity used to sell other commodities within diversified portfolios of parent media companies.

In this same vein, take the 2019 launch of Disney-Plus. In a recent *New York Times* Op-Ed, media strategist Matthew Ball (2019) stated that Disney's new OTT platform is a loss leader because what the conglomerate really wants is the personal preferences and identifiable information of all its subscribers to provide them with the ability to create an exclusive club that it can target with discounts for all of its horizontally diversified businesses such as merchandise, theme parks, and luxury cruises. Thus, the content flow developed by Disney is the carrot to attract an audience commodity whose emotions Disney can directly exploit and convert to sales through the promises of exclusivity and self-importance. Netflix, on the other hand, is not nearly as horizontally diversified (at least not yet), and therefore cannot afford to make its SVOD service a loss leader.

These examples demonstrate how horizontally diversified companies can use content flow to upsell their customers on more lucrative products and services. While this is not necessarily a novel concept of using a loss leader, the Internet has made it a lot easier for viewers to act on these impulses and make instant purchasing decisions without leaving their seat. Furthermore, the siloing of content into proprietary portals means the

resulting flow is a commodity in itself that can be used by a media conglomerate at an enormous discount just to attract shoppers into their virtual store. Once the shopper is in, personal information can be collected and used to coax the shopper into purchasing more expensive products that also happen to be in the company's portfolio.

For media conglomerates such as Disney and Comcast, they operate in so many different markets – cruise ships, theme parks, merchandise, etc. – that the primary purpose of their content flow will be to get consumers into those other markets. But within the market of portals, Disney has the benefit of undercutting Netflix in monthly price, because the money it loses in subscriptions with Disney-Plus, it hopes to gain in all the other markets in which it operates. Amazon, Disney, and Comcast are players that are already diversified enough to be able to do this, whereas the current leader in streaming, Netflix, is not. And with the personal information these companies are able to collect as audiences interact with their content, we need to beware of how our tastes, habits, and preferences could be manipulated and served back to us with precision using exclusive offers and enticing ads stemming from these cheaply priced OTT content flows.

Moving Beyond Privatized Commercial Flow

So what might a democratized television system look like? Castells (2012) states that the "characteristics of communication processes between individuals engaged in the social movement determine the organizational characteristics of the social movement itself" (p. 15). We must remember that the Internet is not determinist, but rather socially constructed by the institutional powers that control it. Because of the unlimited expandability of the Internet, a community of people emotionally invested in creating

change have the potentially to possess the agency necessary to configure the shape of the communication system to fit their needs. However, there needs to be an emotional stimulus underpinning the movement. And although Castells oversimplifies this process at times in his book, *Networks of Outrage and Hope: Social Movements in the Internet Age*, he does make a case for using the online environment as a springboard for resisting institutional regimes.

Zuboff (2019), on the other hand, believes that the law is a necessary, but not sole, component for minimizing the power of institutional forces. While she does not go into great detail about what additional elements would be required, she does make the repeated call for public resistance. It is here where we could possibly locate a crossroads between the legal system and an impassioned, or at least well-informed, public to design a democratized television system that is owned and run by the people and operated outside of the industrial complex.

To consider this concept further, it may be advantageous to first look back into television's past. The structure of television broadcasting immediately following World War II was one that was forgetful – meaning that the means of distribution did not have the ability to remember. Programs were produced live and immediately lost into the ether, and the broadcast spectrum did not have the ability to materialize the audience watching via their television sets. Only through technological intervention, could television begin to remember. The invention of the kinescope allowed content producers to record and save live performances on film or tape; audiences materialized through voluntary survey methodologies. Despite these additions, the nature of broadcasting in

and of itself is unable to remember; airwaves are incapable of tracking and recording program content or viewer activity without some sort of technological intervention.

The Internet, on the other hand, is not a naturally occurring resource like that of broadcast airwaves. It was constructed by humans and comes with the ability to remember everything. Unlike the airwaves that host broadcast signals, computer servers host web traffic and are built to log each and every activity. This is the space where media institutions have set up shop and demanded that the audience play by their rules. This is because they (or a private entity they pay) own the machine-made servers; they cannot own the broadcast airwaves. But what if we could develop a television system that can forget like the public airwaves, but preserve the idealistic technological capabilities of the Internet?

Throughout this research, I have tried to present an inside-out view of the television industry and a top-down analysis of the way it functions. By unveiling the strategies of an industry determined to maintain an upper hand over audiences and maintain their power structure, my hope is that the public may one-day feel compelled to reverse course. Admittedly, this may sound overly optimistic, but the technology, as it exists, allows for collective action and audience agency to occur. The research on web series conducted by Christian (2018) demonstrates an example of this grassroots-style movement. If disruption is going to occur, I am convinced it must come from the bottom-up. Again, this understandably puts the onus on the audience to invoke change, while seemingly letting the industry off scot free. However, if the changes are truly for and by the people, we cannot realistically rely on a private company or business-minded government to accomplish it.

An idealized television system is one where the public are the primary shareholders, each with equal shares and voting rights, that have a collective interest in managing an online television portal. A leadership panel of representatives would need to be elected and the more that join the project, the lower the associated costs become with operating it. Within this open community space, individuals would be free to operate 24-hour channels and have the ability to create, share, and distribute content via UPFs and PPF libraries. Channels could be voted up or down by every member and discoverability would be based on search algorithms that are not based on advertiser or any one individual's wants or needs. More importantly, no record logs would be kept of any viewing activity (except when content is created and posted to the site), and audience Internet protocol addresses would be anonymized, similar to the features of virtual private networks (VPNs). Only votes, anonymous viewer counts, and comments would materialize the audience. Finally, in place of copyright law, Lawrence Lessig's Creative Commons would be the primary system for identifying the rights attached to intellectual property.

The truly disruptive factor of this project is dependent upon the number of shareholders and active members a system such as this could garner. In this age of pull media, if enough people abandoned industrialized portals in favor of this proposed public collaboration, we, the shareholders, might find ourselves in the ironic position of delivering terms of service agreements to media companies that want to post or share content in our space.

Searching for a current example of what this may look like, Amazon's Twitch provides us a glimpse into how UPFs and PPFs coexist together in the OTT environment

and where the future of televisual flow may be headed. The popular portal is primarily known for its live streaming of video games, but in 2014 was purchased by Amazon. Since then, it has begun hosting television content, such as the NFL's *Thursday Night Football*, *Pokemon the Series*, NBC's *Saturday Night Live* and various PBS programs just to name a few UPF channels. The platform allows anybody with access to technology to create and host their own channel, which can include a live linear stream of content, interactive live chat, the option to share and rebroadcast another channel's content, and space to store previous and edited content within an on-demand library. When users arrive on a channel, they have the option to watch for free, subscribe to get access to exclusive content, and donate a digital currency known as bits which is used to show emotive appreciation or loyalty to particular creators. It is a UPF *and* PPF offering with full interactivity that provides compensation to creators.

But perhaps most importantly, Twitch revives two central characteristics of UPFs: appointment viewing and social consumption because of its focus on live gaming and broadcasting, which is capable of attracting a mass audience. Creators will stream at a set day and time in order for their subscribers/fans to tune in live. For anyone that tunes in late, the feed is archived so it can be reviewed on-demand and there is typically a library of other archived content to access. A live chat is available so anyone can interact with the channel's host or other users. And users are able to post a copy of a content feed on their own channel in a feature that can be considered similar to syndicated programming or a simulcast. Owners of channels can also collaborate with one another and broadcast a shared signal.

The linear, 24-hour UPFs of Twitch have one unique characteristic: temporal flow. At times, a channel may be dark and other times there will be live programming. Flow is truncated much in the same way that early television stations would only broadcast at certain times of the day. The caveat here, of course, is that with interactive capabilities, creators can offer an on-demand library available for viewing at any time along with a live chat, so that audiences visiting a channel that is off-the-air can still communicate with one another and access on-demand content.

But the more flow progresses into the future, the larger of a step back it seems to take. For all of the innovative features it offers, platforms such as Twitch have taken a page from their television broadcast predecessors. When Amazon purchased the platform for just under a $1 billion in 2014 (MacMillan & Bensinger, 2014), it effectively transformed a community of gamers into a profit-driven business built on an uneven class system. Programming deals, advertising, partnerships, and algorithmic ratings all began to play a bigger role in Twitch's development beyond simply a gaming platform. Amazon Prime members automatically received a Twitch Prime membership (which can also be purchased separately) and offered bonuses and perks to subscribers. This powerful backing and branding effort is similar to how the television landscape formed.

In the early days of television, CBS and NBC were powerful radio broadcasters that could use their already established broadcasting resources to create television programs. On the other hand, Dumont was a television manufacturing company that did not have nearly as many resources available to it when it launched its Dumont television network (Bergmann & Skutch, 2002). The network did produce one prominent celebrity in Jackie Gleason and carried the broadcast rights for the NFL; however, CBS easily

lured Gleason and the NFL rights away and Dumont eventually folded by the mid-1950s (Bergmann & Skutch, 2002).

The lesson here is that powerful corporate backers end up controlling the landscape by preventing competitors onto a level playing field. Beam was an interactive gaming platform competitor to Twitch that launched in January 2016. Microsoft purchased them later that year and in 2017 renamed the service Mixer (Warren, 2017). Once armed with a powerful parent company, popular Twitch channel host Tyler "Ninja" Bevins accepted an offer to leave Twitch for Mixer in 2019, with Microsoft hoping he would take his 14 million-plus followers with him (AP, 2019). Just as with NBC and CBS expanding into television, it is the already-established companies that are more likely to gain the upper hand in commanding the landscape. While Dumont folded, ABC Network survived because it merged with United Paramount Theaters in 1953 (Gross, 1997, p. 41), similar to what Microsoft did for Beam. The loss of net neutrality adds another layer of complexity to this as fast lanes and zero-ratings can allow ISPs to play favor to the richer and more powerful platforms that can afford to pay.

Corporate ownership typically turns the user engagement occurring on the platform from Arvidsson's (2008) notion of an ethical economy to something more focused on reaping financial returns, which has a ripple effect upon the nature of the community of creators and consumers. A class system has resulted on Twitch where the most popular channels (based on ratings) get preferential treatment in terms of promotions (event hosting, recommendation algorithms, etc.) and advertising – two key components of flow. The metric for assessing performance is a ratings system that ranks channels based on the accumulation of "watch hours" and what content Amazon

specifically wants to push to Twitch audiences. What has resulted is a barrier to entry for new creators on Twitch vying for attention similar to that of the cable industry with channel grid placement or the traditional television industry with VHF/UHF channel licensing. To succeed, channel UPFs need enough content to consistently stay on the air and it must be popular with audiences in order to get subscriptions. Because of measurement, creators can begin playing to the numbers and giving audiences "what they want," which can compromise the authenticity of the content and cause creators to burn out because their broadcasting channel is now a job with long hours attached, but without the guaranteed pay.

Thus, Twitch leverages many of the same traditional strategies and structure of televisual flow under the guise of digital innovation. Measurement tools create the incentive for creators to acquire consumer attention for advertising and monthly subscriptions. Live channels maintain appointment viewing. Interactive chat encourages social viewing by simulating the proverbial watercooler. Archives equate to librarying on-demand content. Channels can sign-off or broadcast sporadically, but risk the loss of attention to more active (and possibly better equipped) channels. However, the rub is that the majority of content is produced by creators, who are doing it out of their passion for broadcasting, receiving minimal to no compensation. Similar to how MVPDs benefit monetarily from selling tiers or bundles of unpopular channels tethered to one or two strong ones, Twitch can offer as many channels as its servers can hold and reap a percentage of the profits from every successful one. Whereas MVPDs ultimately faced channel space limitation with the overloaded 1,000 channel cable grid, Twitch is

essentially a search engine for channels, but the algorithm is likely to return the most popular or beneficial results for Twitch and Amazon.

If we consider Twitch to be representative of the current trajectory of flow, we can see exactly where the audience gets situated. We know that emotion is the currency that drives the engagement economy (McGonigal, 2008) and that audiences are more likely to engage altruistically for an emotive satisfaction (i.e., popularity, recognition, sharing with others, etc.) rather than a monetary one (Arvidsson, 2008). We also know that companies recognize the power of relinquishing certain levels of control to consumers strategically as outlined in the wikinomics business model through the activity of prosumption (Tappscott & Williams, 2006). Because digital media has the capability of being easily shared and spread across different platforms, it is in a company's best interest to open up its resources to allow audiences to collaborate (Jenkins, Ford, & Green, 2013). Jenkins (2006) has celebrated this interactive environment as signaling the democratization of media that finally grants a voice to fans and audiences. He refers to this as participatory culture (pp. 3-4); however, we must also be aware of the corporate financial ends to which producers and consumers are creating and sharing resources to form collective intelligence.

In sum, we find the audience simultaneously assuming the role of investor by leveraging their personal relationships into subscriptions dollars for creators they endorse and labor harder than ever to produce and spread televisual content flows, all of which Twitch benefits from monetarily by taking at least 50 percent.[13] The platform also collects personal data to sell targeted advertising. Furthermore, the sharing and re-

[13] Twitch takes varying percentages of revenue from each channel dependent upon the tier of audience traffic and subscriptions that a channel generates.

broadcasting of content doubles as free marketing for that channel in which the channel's operator can gain in subscription dollars while those that share it simply get the satisfaction of participating. And everything that is created and hosted by Twitch also grants the platform a full share in copyright. Within this trajectory, users are completely vertically integrated as the investors, programmers, content creators, editors, curators, marketers, hosts, community moderators, and viewers. Without these producer/consumers, Twitch is nothing but an empty platform. In other words, the community creates the work, approves the work, promotes the work, and is pushed to consume content that Amazon deems beneficial to itself. With no limitations of space, Twitch is not hurt by unprofitable channels and can only benefit by the profitable ones.

If we apply this model to the OTT landscape, we should expect to see PPFs continue on their current trajectory of absorbing UPF strategies within a commercial marketplace simply in an attempt to retain viewers for sustained periods of time and promote platform-desired content in the big head, rather than long tail. Audiences, including creators, could face real burnout, which would not necessarily bother media companies because channel space is limitless and they will continue to push their lucrative UPF model. It is simply a case of media companies appropriating creative communities and injecting it with decades-old flow strategies to create an interactive flow that gets audiences to work longer and harder.

A DIY Approach to Flow.

According to Netflix, *The Office* was their most-watched program in 2019 (Sherman, 2019). Despite all of the original series Netflix produces, it was a series that enjoyed its first run on linear broadcast network television from 2005 to 2013 that

garnered the most subscriber attention. This explains why Comcast outbid Netflix for the exclusive streaming rights to the series and paid $100 million to make it a tentpole for their new OTT platform, Peacock, beginning in 2021 (Sherman, 2019). Unfortunately, this means that fans of the series will have to subscribe to this new service if they want to continue to enjoy *The Office* in the form of an OTT PPF.

Within portals exist libraries of content, much of which will likely go unwatched by subscribers. But by acquiring the rights to a handful of tentpole series, the portal can bundle these with the lesser known content to be able to offer a library of scale. And this is what audiences are essentially paying for – a library of content for which only a small percentage gets watched.

Many of these portals provide a sense of false agency, leading the audience to believe they are in control of the content they access, when in fact they are not. Many portals market content as being downloadable or some instances where users may be able to own the content. But in many cases, this is a completely false narrative because the media company obscures where the media is downloaded on users' devices and does not make the file accessible outside of the viewing application. Amazon Prime does this, for example, when you purchase episodes or seasons of a series. For fans that want creative access to edit the file they purchased, use it to create a fan video, or play it on a particular screen of choice, they cannot easily do so. Amazon Prime allows users to download titles for offline viewing, but they expire after 30 days and are automatically removed from the device. For titles that are purchased without a prime membership, access is limited to online viewing only and titles are housed within a library in the user's Amazon account application.

To get around these restrictions on flow, audiences should have the option of taking control of their flow. What is sold to consumers as a convenience for viewing, watching digital content from any device is very much possible without the need for monthly subscriptions and limited agency. Just as video cassette recorders afforded audiences the ability to library certain programs, networked digital technology allows for the digital librarying of content via personal clouds adhering to digital living network alliance (DLNA) standards. Here, fans of series can make a one-time purchase of the DVDs or Blu-ray disks to physically own a film or complete series of a show. In many cases, the one-time fee will be cheaper than paying a monthly subscription to a service where the majority of available content is unappealing. Or at worst, portals serve as store windows with products that viewers can sample for a single monthly fee before cancelling. This also reduces the power of platforms to leverage a tentpole series against audiences, which likely possesses a passionate fan following because that series is likely to be available in physical media form.

If we take *The Office* as an example, the complete series on DVD has varied in price over the last few years on Amazon, ranging from a low of $37 to the current price tag of $70 (CamelCamelCamel, 2020). If fans were to purchase the series today, it would be the equivalent of paying six months of a Netflix membership. However, the series would then be owned in perpetuity without the fear of having to chase it around different streaming platforms or try to catch it on a UPF schedule. Additionally, the owner gets full benefits of ownership and agency by being able to work with the media content as creatively as they wish. To do this, users can legally digitize the content from discs for

private consumption and play it back on almost any digital device via a networked attached storage (NAS) device without the need for an Internet connection.

If you think about it, because of advances in technology, televisual flow has the capability of becoming the reverse situation that radio found itself in at the turn of the 20th century. Whereas radio amateurs lost the right to broadcast in 1919 to the private monopoly of the Radio Corporation of America (Barnouw, 1975), television viewers should find themselves in the golden age of technology, where do-it-yourself (DIY) culture can allow someone to construct a digital content library that is designed for them, by them, and without the unnatural commercial breaks Williams (1975) complained about.

With a personal NAS device, televisual flow can be constructed using a file management system or library content organizer via an OTT-ready device to allow the user to access the content when they want, how they want, and where they want. Admittedly, there is a learning curve to setting this up, but advances in educational materials and technologies is helping make the process easier. The result is that the flow of content becomes the exclusive right of the NAS owner, which is now the user rather than the media company. And after the media content and NAS device is purchased, there are no additional costs whatsoever. It simply becomes a flow of content that is accessible offline and for free, on a myriad of devices, and stripped of commercials and promos. Furthermore, a viewer's favorite content will be centralized in one place, for a truly unique content flow that does not rely on paying multiple subscriptions to different portals or having to purchase a bundle because of split ownership (such as Disney splitting content between Hulu, ESPN-Plus, and Disney-Plus).

The DIY approach provides consumers the power to subscribe to portals based more on the *new* content they offer, rather than the familiar legacy tentpole content (such as *Friends* on Netflix) that may have been used to attract them in the first place. And because content is housed in a cloud location and uses a private file system that is closed off from media and data companies, concerns about media measurement, tracking, and data collection are nullified. This rips into the heart of the value proposition being offered by many portals. When viewers quickly binge through newly released content, portals often rely on the older, but familiar tentpole content to maintain monthly subscriptions. This is why, for example, in 2019, Netflix acquired the exclusive global streaming rights to *Seinfeld* for 2021 at a reported higher price than the $500 million Comcast paid for *The Office* (Otterson, 2019; Kafka, 2019).

If viewers prefer to take a relatively easier path to a less-tracked alternative to accessing televisual flow, they can purchase a digital antenna to receive over-the-air (OTA) UPFs of local stations and broadcast networks. The broadcasts rely on the public airwaves and are therefore not measured nor tracked (remember to deactivate ACR technology in smart TVs), require no monthly subscription fee, but still adhere to Raymond Williams' original concept of flow: program content, promotions, and commercial breaks. Of course taking this route eliminates interactivity and truly takes the viewer back to the 20th century style of television consumption. However, in comparison to what we now know regarding contemporary digital content flows, an OTA UPF may seem like a lesser of two evils.

It is important for audiences to become self-aware of the nature of the content flows they consume and the audience flows in which they engage. The next time you are

watching television, ask yourself if your content flow consists of mostly new broadcasts and releases. Or does it primarily contain old favorites? How many different series or pieces of content do you regularly watch? Is it professionally produced or user-generated content? Appointment viewing or on-demand? How often do you take control of an OTT content flow or do you pass the reigns to automation? What are your entry points into a content flow and what roles do you play in an audience flow?

By taking control of content with networked libraries, you can more clearly understand the value of the content flows you consume through portals as well as any UPFs you may subscribe to via MVPD bundles. Broadcast. Cable television. Netflix. Disney-Plus. Hulu. CBS All Access. Peacock. HBO Max. Which of these services provide you the most value? Which ones would you subscribe to based simply on their new content releases? What does your ideal content flow look like and are you in charge of it?

Appendix A

Interview Questions

IQ1: What are your job responsibilities? How long have you been working at this position? What are the end-goals of the work that you do?

Managing Flow

IQ2: What are the entry points for your company gaining a prospective viewer's attention? Are there entry points for engagement that follow? If so, how? What types of engagement does your company encourage?

IQ3: On what platform(s) does your company host video content? What would you consider to be the primary platform/destination for audiences? What factors make it the primary destination? In what way(s) is content monetized/funded across these platforms?

IQ4: What are the strategies your company employs to direct audiences to the primary platform?

IQ4a: Linear: How valuable is appointment viewing? Do you rely at all on the second screen experience to promote live viewing? If so, how? Do you compete in online spaces to steer audiences to the television set? If so, how? What do you think the future holds for traditional linear programming?

IQ4b: Non-Linear: Are there strategies involved in steering viewers through the platform or directing them to specific content? What aids you in determining this?

IQ5: What strategies does your company employ for building and maintaining audience loyalty in a severely fragmented audience landscape?

IQ6: What strategies go into the design of the platforms your company utilize? Is each user experience unique or universal? Is content uniquely catered to each individual viewer? If so, how?

IQ7: What methods of content marketing does your company utilize? In what capacity does your audience play a role in marketing and spreading your content? What type of audience activity is encouraged by your company?

IQ8: How accessible is your content to audiences? Are any special skills, devices, or costs required to access content? Is it possible for audiences to only access parts of content (i.e., only the traditional TV screen), without missing an important aspect of the viewing experience? How do you see this accessibility looking ten years from now?

IQ9: Are you concerned with the devices audiences use to view your content? If so, do you try to influence what they use? How? Strategies?

Measuring Flow

IQ10: How do you measure ROI for your content?

IQ11: What types of feedback does your company collect from users and viewers of your content? In what ways does your company use/process this data?

IQ12: Does your company subscribe to any audience measurement firms for audience data? If so, which firms? And what types of data are you provided? Which type is most valuable to you? How does this data influence your content-making and distribution decisions?

IQ13: Do you feel audience research data accurately measures audience flow across your content? Why? If not, what would you like to see?

IQ14: Audiences seem to be tracked for their data trails more than ever before. What is your approach to this with your content flows? What audience data is most valuable to you? And what type of data do you collect?

IQ15: Is there any audience measurement data not useful to you?

IQ16: What types of measurements or data collection are not being done or done well that you would like to see? Why would this data be useful to you?

Regulating Flow

IQ17: What is your company's approach to user privacy? How is user information stored and what data is shared with third parties? Do you personally use any privacy tools?

IQ18: What roles do net neutrality and data caps play for audiences accessing your content? Does it hinder or help you in terms of the dynamic with competitors? Are there any active steps your company is taking to address these topics?

IQ19: In what ways are cord cutting, skinny bundles, and streaming affecting your content flows? To what affect do these have on your audience flows?

IQ20: Should OTTs be regulated by the FCC and classified as MVPDs? Explain.

IQ21: What is your company's approach to copyright law when it comes to audiences accessing your content flows? With all the consumer digital tools available today, what do you allow or even encourage your audience to do? What, if anything, do you try to prevent audiences from doing?

IQ22: Are there any government regulations that you would like to see? Why?

IQ23: Are there any government regulations that you feel hurt your business or impinge upon your company's ability to serve audiences?

Future Considerations

IQ24: What do you envision television being in the next 10-20 years? In what strategic direction are content flows headed?

Appendix B

LinkedIn Connection Request

Initial message sent to possible research subjects accompanying connection request on LinkedIn (adhering to character limitations):

Hi Mr./Ms. (Last Name), I'm a doctoral student at Rutgers University & am interviewing media industry (job title) for my dissertation. I'd like to discuss your career experience and insight with you if you're available. Anonymity is guaranteed. Thanks, Steve Voorhees (**ssv34@rutgers.edu**)

Appendix C

LinkedIn Confirmation Message

Follow-up message sent once connections were confirmed:

Mr./Ms. (Last Name), Thank you for the connection. Please let me know if you are interested in participating in a telephone interview regarding your professional experience and I will send you a consent form from Rutgers which provides an overview of the project. In short, my dissertation aims to provide a critical assessment of the ways in which media & audience flows are managed, measured, and regulated in today's media environment. I look forward to hearing from you. Thanks, Steve (**ssv34@rutgers.edu**)

Appendix D

Acronym Glossary

ACR – automatic content recognition

AI – artificial intelligence

CONSENT Act – Customer Online Notification for Stopping Edge-Provider Network Transgressions Act

COPPA – Child Online Privacy Protection Act

CPM – cost per mille

CRM – customer relationship management

DLNA – Digital Living Network Alliance

DMCA – Digital Millennium Copyright Act

DOJ – Department of Justice

DVR – digital video recorder

E/I Requirement – educational and information programming requirement

FCC – Federal Communications Commission

Fin-Syn – Financial Interest and Syndication Rule

FOMO – fear of missing out

FTC – Federal Trade Commission

GDPR – General Data Protection Regulation

IP Address – Internet protocol address

IRB – institutional review board

ISP – Internet service provider

ITV – interactive television

MRC – Media Rating Council

MVPD – multichannel video programming distributor

NAS – networked attached storage

NDA – non-disclosure agreement

OTA – over-the-air

OTT – over-the-top

PII – personally identifiable information

PPF – personalized planned flow

SMART Act – Social Media Addiction Reduction Technology Act

SMS – short message service

SVOD – subscription video on-demand

UGC – user-generated content

UPF – universally planned flow

UX – user experience

VCR – video cassette recorder

VMPVD – virtual multichannel video programming distributor

VOD – video on-demand

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