



# PUBLIC COMMENTS DATA ANALYSIS

Years 2010-2012

## 4) Findings Related to Comments and Replies

This Section summarizes findings that relate to ICANN community comments and replies rather than the solicitations themselves.

### A. Most Popular Solicitation Topics (Total Comments Received)

The top ten most popular Public Comments topics during the years 2010-2012 are shown in Table 1 below, sorted in descending order by total number of submitted posts:

Table 1.

Public Comments Solicitation Title	Close Date	Comments
Report of Possible Process Options for Further Consideration of the ICM Application for the .XXX sTLD	10-May-10	13250
Revised Proposed Registry Agreement for .XXX sTLD and Due Diligence Documentation	23-Sep-10	719
Phased Allocation Program in .JOBS	15-Jul-10	316
New gTLD Program – Draft Expressions of Interest/Pre-Registrations Model	27-Jan-10	277
Proposal for Renewal of the .NET Registry Agreement	10-May-11	186
Proposed Final New gTLD Applicant Guidebook	15-Jan-11	177
New gTLD Program - Draft Applicant Guidebook, Version 4 and Explanatory Memoranda	21-Jul-10	164
New gTLD Applicant Guidebook – April 2011 Discussion Draft	15-May-11	107
Special Trademarks Issues Report	26-Jan-10	71
.com Registry Agreement Renewal	26-Apr-12	39

### B. Least Popular Solicitation Topics (Total Comments = 0)

At the opposite end of the sort array, there were 18 Public Comments topics for which there were no comments or replies submitted (8% of the study sample) – sorted in chronological order by Close Date (see Table 2).



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Table 2.

Public Comments Solicitation Title	Close Date	Comments
One & Two-Character .CAT Domains	17-Jan-10	0
RSSAC Review – Draft Working Group Report	5-Jun-10	0
GNSO Council Operations Work Team and Constituency and Stakeholder Group Operations Work Team Recommendations	18-Jul-10	0
Transparency and Accountability Wiki Project -- ICANN Board Resolutions - Draft - 2009	26-Jul-10	0
Public Participation Committee Webinar Information	3-Nov-10	0
Proposed Changes to the ICANN Bylaws Article XI: Advisory Committees Relating to the Charter and Membership of the Security and Stability Advisory Committee (SSAC)	2-Dec-10	0
Proposed Bylaws Amendment to Create a Non-Voting Chair-Elect to the Nominating Committee	10-Dec-10	0
Interim Paper Inclusion of IDN ccTLDs in the ccNSO	21-Jan-11	0
Permanent Charter of GNSO's Commercial Stakeholder Group Completed – Public Comment Invited	23-Jan-11	0
Proposed ICANN Meeting Dates 2014 - 2016	8-Mar-11	0
ccNSO DRDWG Final Report	15-Mar-11	0
Proposed Changes to Section 5.0 of the GNSO Council Operating Procedures	26-Mar-11	0
Proposed Revisions to Chapters 3 and 4 of the GNSO Council Operating Procedures Relating to Proxy Voting	9-Aug-11	0
IDN ccPDP WG 2 – Draft Final Report	15-Dec-11	0
Inter-Registrar Transfer Policy Part B – Recommendation #8 and #9 Part 2 – Staff Proposals	31-Dec-11	0
Global Policy Proposal Recovered IPv4 Address Space	4-Apr-12	0
WHOIS Technical Requirements Survey - Draft	20-Jun-12	0
ICANN's FY 13 Security, Stability and Resiliency Framework	2-Jul-12	0

## C. Public Comments Participation Levels (Total Comments)

In order to compute a statistically representative number of comments that reflects the Public Comments experience from 2010-2012, it is important to recognize that there have been a few topics which generated an extraordinary volume of submissions (e.g., over 13K to the 2010 ICM application for .XXX). In this data set, if we were to calculate the simple average of all comments received across the 212 Public Comments topics, it would equal 80 (!); however, that figure is grossly misleading because it is heavily influenced by outlier volumes such as the 13,250 shown in Table 1.

To highlight this phenomenon visually, Chart 4 (below) is a frequency histogram which shows, in increments of 10, the percentage of Forums (blue) and Comments (red) within each band. For example, the 2<sup>nd</sup> grouping of bars signifies that 64% of the Forums (136 out of 212) received

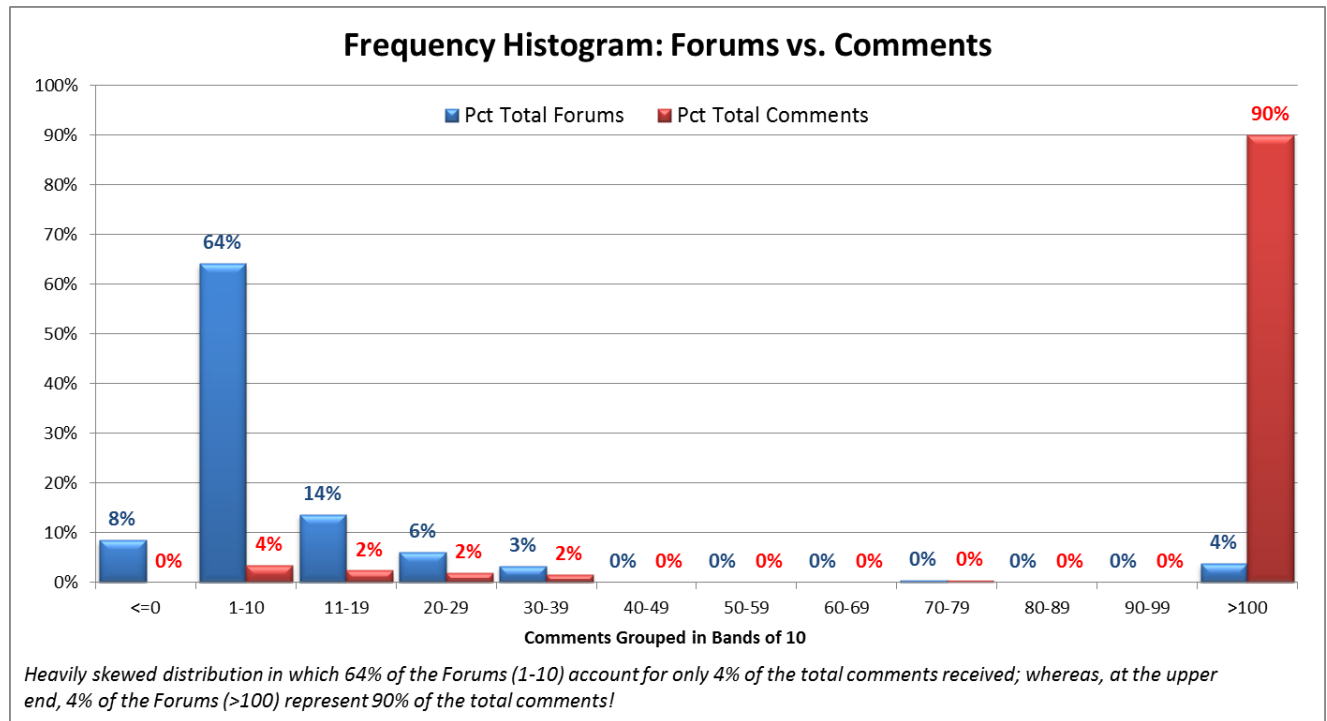


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1-10 comments, but those Forums accounted for less than 4% of the total comments submitted (591 out of 16,873). Similarly, at the upper tail, 4% of the Forums (8 out of 212) were responsible for 90% of the total comments received from 2010-2012! Given this heavily skewed and lopsided distribution, it would be inappropriate to allow a small number of outliers to significantly influence any representation as to the typical number of Public Comments experienced. As can be interpreted directly from Chart 4, the majority of Forums (over 60%) receive between 1 and 10 comments.

Chart 4.



Recognizing that simple averages (means) are inappropriate for such a skewed distribution, the preferred measure of central tendency to apply is the median, that is, the mid-point where 50% of the results occur above and below the statistic.

Chart 5 below shows the median number of comments by quarter over the study period. For this purpose, comments and replies were summed together without distinction in determining overall participation rates.

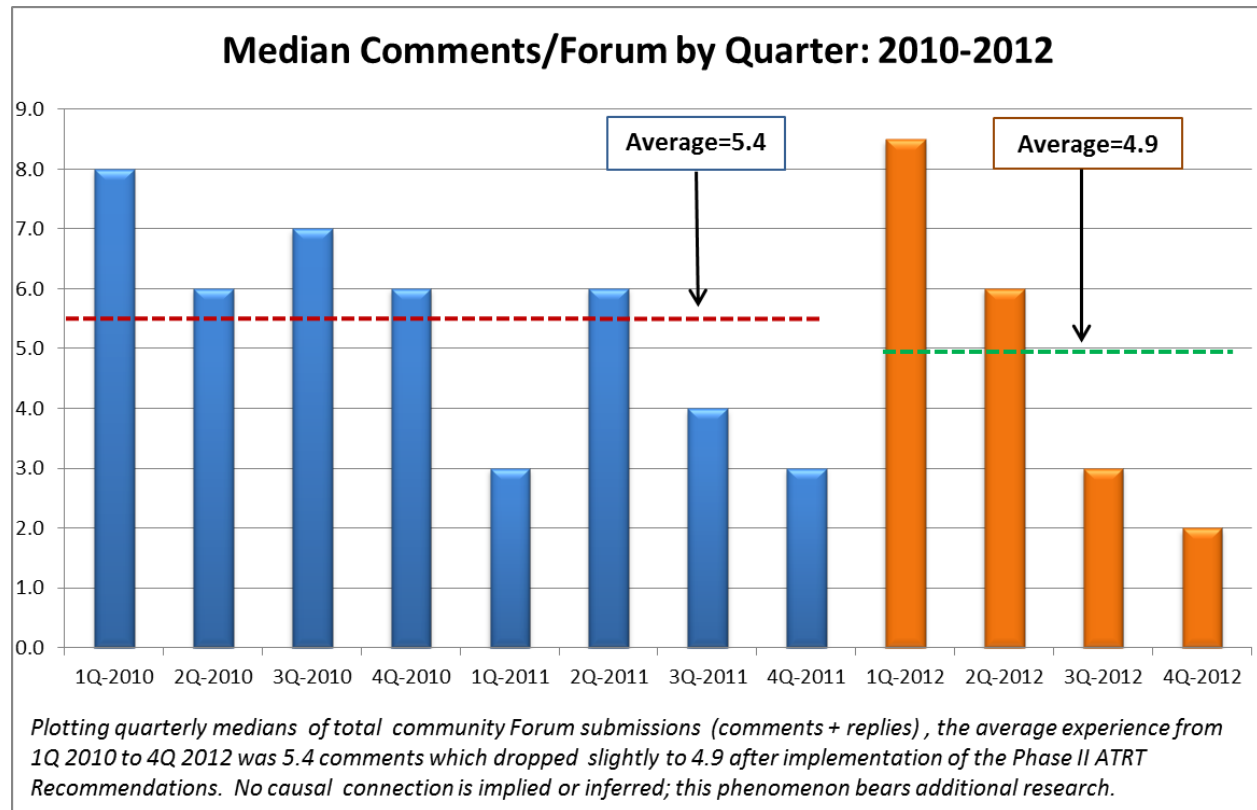


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The graphic illustrates that, during the period from 1Q 2010 through 4Q 2011, the average number of comments (using medians<sup>5</sup>) per Forum was 5.4 and, after the introduction of the ATRT recommendations, that number dropped very slightly to 4.9. There is no evidence available that would warrant an inference or causal connection that this minor decrease is related to the implementation of the ATRT recommendations. In fact, the 1Q of 2012 has the distinction of having the highest recorded number of median total comments (8.5) in the three year period.

Chart 5.



While examining the overall participation experience, this next graphic (Chart 6) illustrates that, overall, 30% of all solicitations from 2010-2012 received less than or equal to 2 comments and, although not displayed in the chart, 8% (or 18 Forums) experienced zero submissions. There was no fundamental change in this data before (29%) or after (31%) the implementation of the ATRT Recommendations in 1Q 2012.

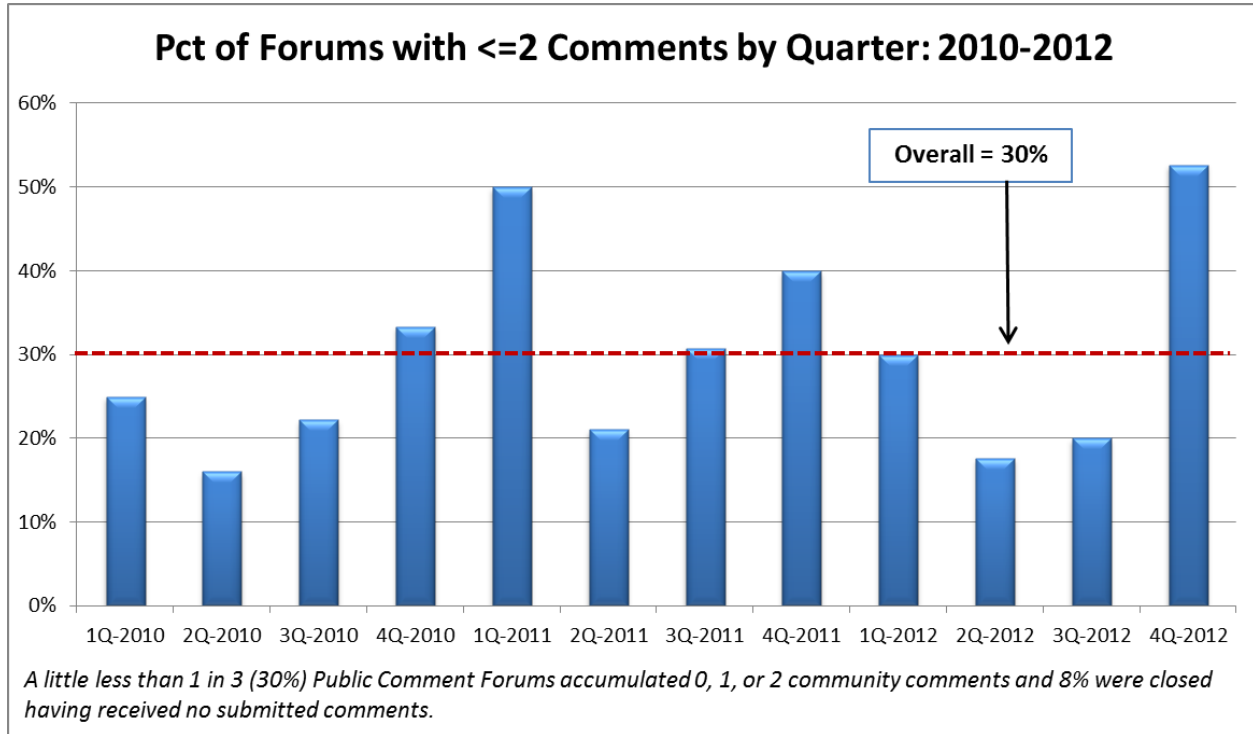
<sup>5</sup> Technically, it is not normally legitimate to average medians; however, in this instance, it is useful as a quick test to determine whether or not participation levels changed markedly pre- and post-implementation of the ATRT Recommendations. In this instance, there is no compelling evidence of any material change in the response rates.



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Chart 6.



## D. Reply Cycles (ATRT Recommendation #16)

In capturing data relating to Reply Cycles, it may be helpful to recall the official rules related to comments and replies. Quoting from the ICANN.org [Public Comments](#) home page:

*“Each public comment topic (opened from 1 January 2012) is subject to a Comment and a Reply period as follows:*

- *The official minimum Comment period is 21 days.*
- *The official minimum Reply period is 21 days.*
- *If no substantive comments are received during the Comment period, then there will be no Reply period.*
- *During the Reply period, participants should address previous comments submitted; new posts concerning the topic should not be introduced. When constructing Replies, contributors are asked to cite the original poster's name, comment date, and any particular text that is pertinent.”*

It is important to note that, in the first two months of 2012, most Forums that closed were started in 2011; therefore, they did not have any Reply Cycle information. Practically, the Reply Cycle data became reliable starting in March 2012.

During the data capture effort, it was observed that a sizable quantity of email submissions appeared, on the surface, not to be replies to previously posted comments. In order to evaluate



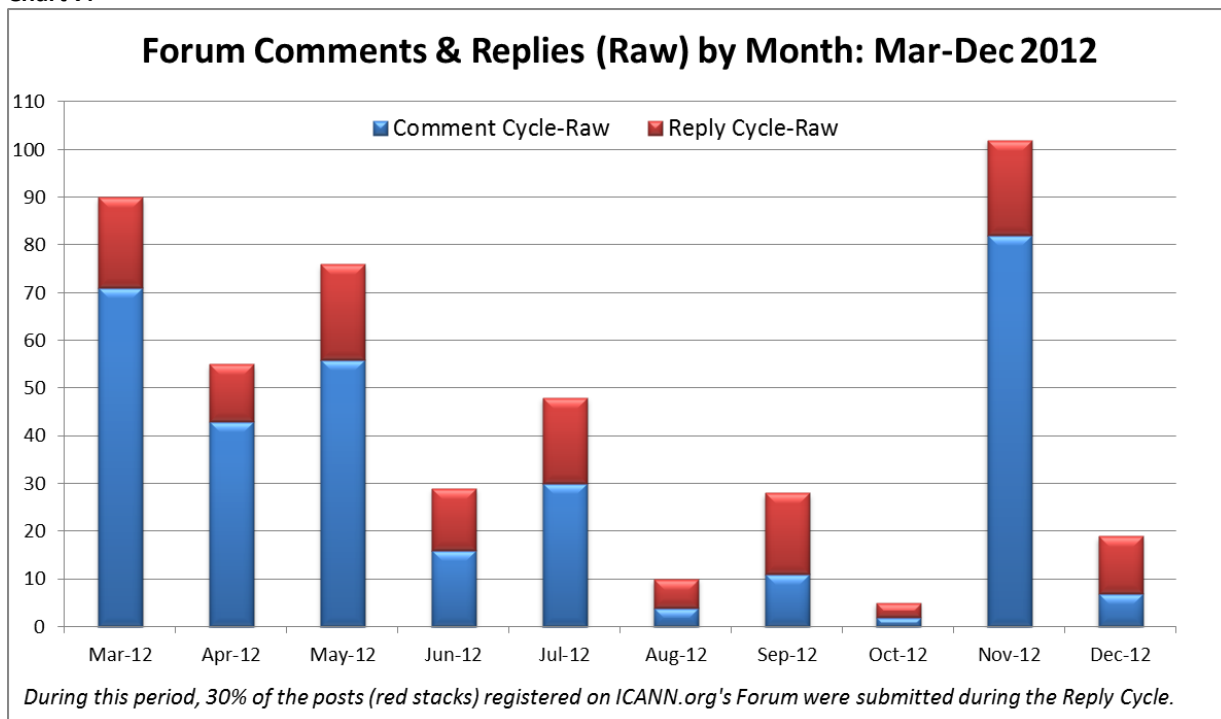
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this hypothesis, a separate manual effort was launched to examine the content of every individual email posted during the officially scheduled Reply Cycles from March-December 2012.

This first Chart 7 shows the actual (raw) quantities of Comments and Replies received by month prior to any data cleanup. The red stacks appear to be substantial, especially compared to the blue comments bars; moreover, in the aggregate, they represent 30% of the total submissions. Because this information is being displayed monthly, the reader may be interested to know that the average<sup>6</sup> number of Replies per Forum (unadjusted) was **2.5** from Mar-Dec 2012.

Chart 7.



Once the Replies were analyzed individually, a revised accounting became available. Chart 8 below shows the aftermath of the data cleanup effort through which it was uncovered that just over 70% of the original emails recorded during the scheduled Reply Cycle were determined NOT to be actual replies to any previous submission; rather, they were most typically original comments forwarded after the initial Comment Cycle had ended<sup>7</sup>. In other words, it appears as though some contributors utilized the Reply Cycle as an effective extension of the original comment period.

<sup>6</sup> In this instance, computing an average vs. median is appropriate because there were no significant outliers in the distribution of Replies from Mar-Dec 2012.

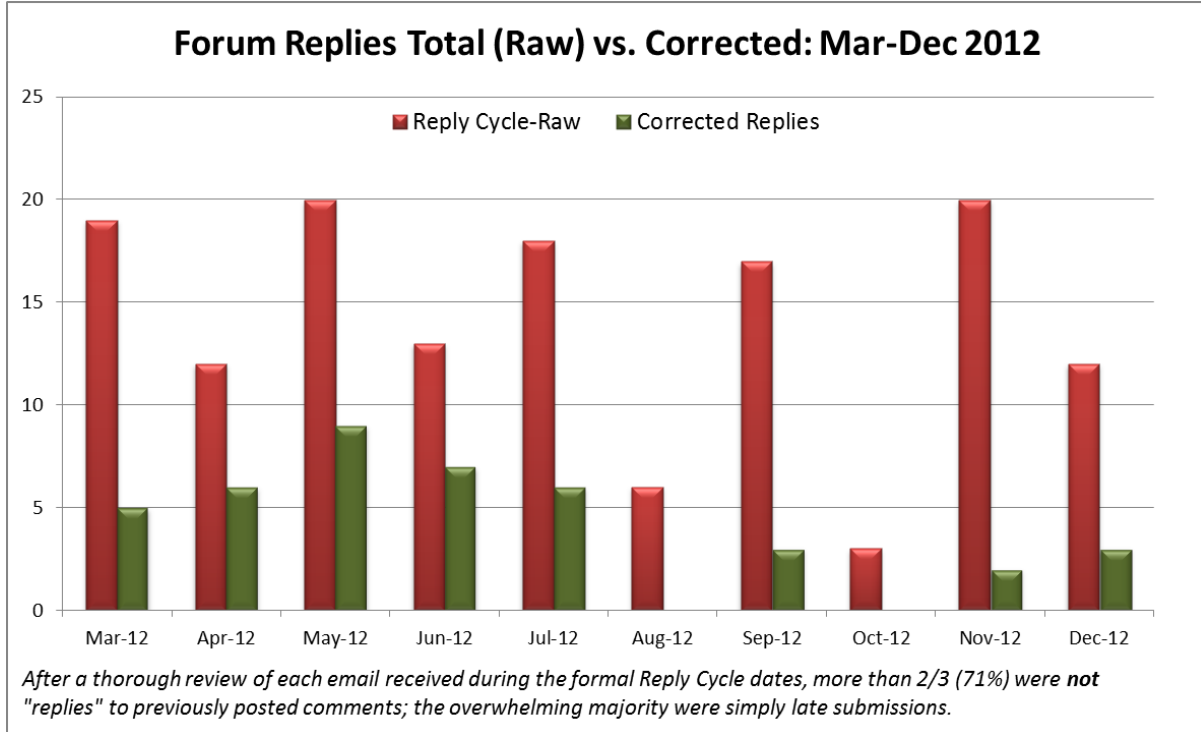
<sup>7</sup> These numbers were added back to the original comments totals for subsequent analysis.



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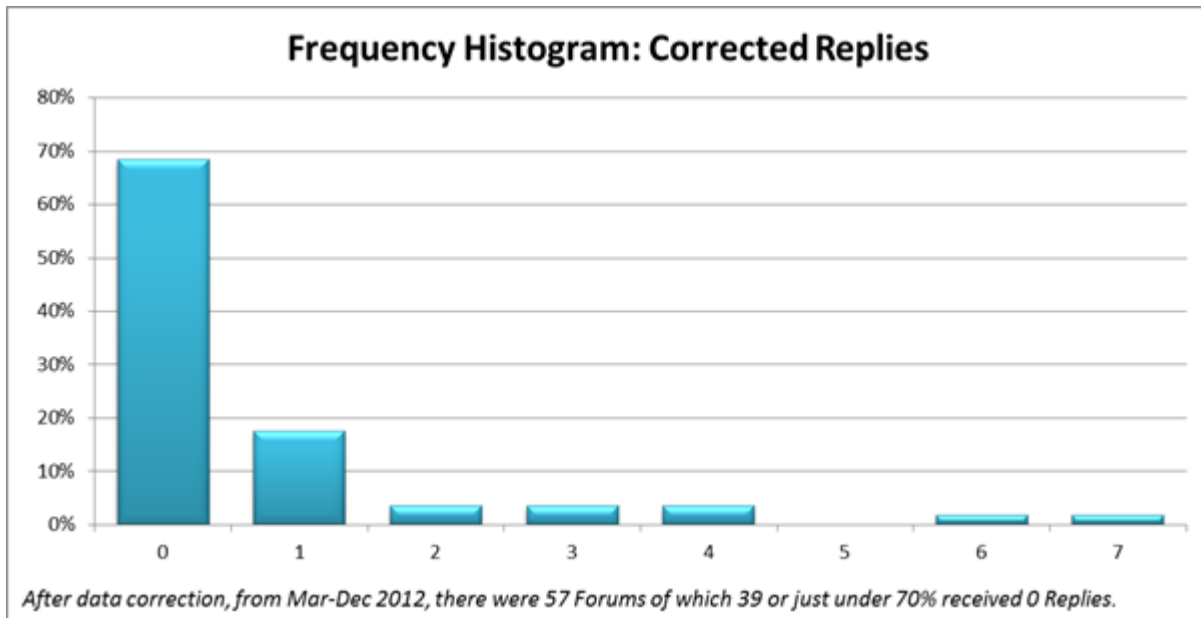
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Chart 8.



To provide an indication as to the level of participation in Reply Cycles, the following frequency histogram (Chart 9) shows that just under 70% of all solicitations received zero Replies.

Chart 9.





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Post data cleanup, Chart 10 (below) shows that the average number of Replies per Forum was not 2.5 (the raw result); rather, it was closer to 1 (actual = .8) during the period Mar-Dec 2012. The aggregate number of Replies, after correction, represented 9% of the total submissions versus 30% using the unadjusted figures.

Chart 10.

