

June 25, 2007

**VIA HAND DELIVERY**

Marlene H. Dortch, Esquire  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

Attn: Enforcement Bureau  
Melanie Godschall, Esquire  
Investigations and Hearings Division  
Room 4-C330

Re: WJAR(TV), Providence, Rhode Island  
Facility Id. No. 50780  
FCC File No. EB-06-IH-3726

Dear Ms. Dortch:

On behalf of Media General Communications Holdings, LLC ("Media General"), licensee of WJAR(TV), Providence, Rhode Island, we hereby submit an original and four copies of a response to the Commission's request for information regarding Media General's broadcast of portions of a certain video news release ("VNR").<sup>1</sup> In the Letter Request, the Bureau refers to a report from the Center for Media and Democracy (the "CMD Report").<sup>2</sup> Based on this report, the Commission asserts that Media General may have violated Section 317 of the Communications Act of 1934, as amended, 47 U.S.C. § 317, and Section 73.1212 of the Commission's rules, 47 C.F.R. § 73.1212, by airing a certain VNR without proper sponsorship identification. As the CMD itself has implicitly acknowledged in an earlier report on the same subject, however, policy changes that CMD has suggested the Commission make are necessary

<sup>1</sup> See Letter to Media General Communications Holdings, LLC regarding WJAR(TV), Providence, Rhode Island, from Hillary S. DeNigro, Chief, Investigations & Hearings Division, Enforcement Bureau, Federal Communications Commission, EB-06-IH-3726 (April 26, 2007) (the "Letter Request").

<sup>2</sup> See Center for Media and Democracy, *Still Not the News: Stations Overwhelmingly Fail To Disclose VNRs* (Nov. 14, 2006) ("CMD November 2006 Report").

before the conduct at issue in the Letter Request -- broadcast of material when no consideration is being exchanged -- can be considered a violation of relevant legal standards.<sup>3</sup>

Media General hereby responds to the Commission's specific questions regarding the following program material identified in the Letter Request (the "Program Material"):

➤ GlaxoSmithKline, on October 5, 2006 (the "Program Material")

**1. For each VNR programming segment identified above, state whether the Licensee's station listed above aired the VNR program material as alleged in the CMD Study. If so, provide the following information:**

**a. the date(s) on which the Licensee received the VNR program material;**

Media General received the Program Material on October 5, 2006.

**b. any materials the Licensee received that accompanied the VNR;**

Attached as Exhibit 1 is a copy of an "advisory" that WJAR(TV) most likely received from Medialink alerting the station to the satellite feed of the Program Material. Although the station does not customarily retain such material, it contacted Medialink in connection with preparing this response and obtained the document attached as Exhibit 1.

**c. the person(s) from whom the Licensee received the VNR program material;**

Media General received the Program Material from Medialink.

**d. state whether the Licensee broadcast the VNR program material as received, without changes or editing.**

**i. If the response to 1(d) above is "no," describe specifically what content of the VNR program material was edited;**

Media General did not broadcast the Program Material as received. As demonstrated by a comparison of the two transcripts attached as Exhibit 2, which include the text of the "original" VNR and the story as broadcast by WJAR, the reports are basically the same in topic only. First,

<sup>3</sup> See Center for Media and Democracy, *Fake TV News: Widespread and Undisclosed*, at 65 (Apr. 6, 2006), which makes policy recommendations to the Commission, thereby implicitly conceding that under the Commission's current standards, sponsorship identification of VNRs is unnecessary. Advocating that a preferred but as yet uncodified or unprecedented legal interpretation should be the law is perfectly acceptable in a rulemaking or lobbying context. Arguing that the interpretation should result in sanctions, when the position has not yet been firmly clarified and established in case law, is not legally acceptable.

WJAR's report is much shorter than the "original" VNR. CMD's website reports that the "original" VNR was 3:40 minutes in length. WJAR's broadcast of the Program Material was only :51 seconds. Second, the report was presented by news reporter Barbara Morse Silva, rather than by the original narrator, and as the transcripts show, Ms. Silva's report was not simply a "revoicing" of the "original" VNR. Her report consisted of her own separately prepared story and included facts from the Food and Drug Administration's press release of the same day that were not included in the "original" VNR. See FDA press release at Exhibit 3. At the end of her report, Ms. Silva referred viewers to the WJAR website, which included a link to the FDA's site, for more information on the flu vaccine.<sup>4</sup>

From the "original" VNR, the reporter only included one interview with a doctor from Vanderbilt University, who is identified with superimposed lettering, and three very brief "B-roll" shots -- a short video of a vaccine assembly line, a quick still picture of a vial of the vaccine and its packaging box, and a short video of a woman blowing her nose. In essence, the Program Material was used as "stock footage," providing video background for the anchor's own reporting and the brief interview with the doctor that otherwise might not have been available. Media General basically jettisoned the "original" VNR, producing its own news report using its editorial discretion.

- e. the date(s) and time(s) that the Licensee aired any portion of the VNR program material;**

Media General aired the Program Material on October 5, 2006, at approximately 11:14 p.m.

- f. two recordings in VHR videotape format of the program(s) containing the VNR material clearly labeled with the file number referenced above, the station, and the VNR;**

Attached as Exhibit 4 are two recordings in VHS videotape format of the Program Material, labeled as requested with the file number referenced above, the station, and the VNR.

- g. a written transcript of the segment(s) containing the VNR program material;**

Attached as Exhibit 2 is a transcript of the segment containing the Program Material, as broadcast. Also attached is a transcript of the Program Material as it appears on CMD's website in the form that it was apparently "originally" sent to stations. Comparison of the two transcripts shows that WJAR's broadcast was modified significantly and varied greatly from the original.

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<sup>4</sup> The *CMD November 2006 Report*, at 38, claims the link was not available on the station's website. Included with the FDA press release in Exhibit 3 is a printout confirming the link's posting on the day the story was aired. The printout indicates the link was posted a little over an hour before the 11 pm broadcast.

- h. the steps, if any, the Licensee took to determine whether the VNR program material required sponsorship identification, and the information the Licensee learned through taking any such steps;**

To the best of its knowledge, information, and belief, neither Media General nor any of its employees or representatives received any money, service, or other valuable consideration that was either directly or indirectly paid to it or them or promised or charged or accepted by it or them in connection with the broadcast of the Program Material. The Program Material, as aired, served as video "stock footage" or background for the news reporter's story and provided a brief appearance by a doctor, who was identified by superimposed lettering. The news report was written by the reporter who delivered it on-air. As such, as discussed below, the Program Material did not need to be identified as sponsored under current FCC standards.

- i. whether the Licensee was aware of or had reason to believe that any person involved in the production of the VNR segment paid or received consideration for the inclusion of material in the segment; and**

As noted in the previous answer, to the best of its knowledge, information, and belief, neither Media General nor any of its employees or representatives received any money, service or other valuable consideration that was either directly or indirectly paid to it or them or promised or charged or accepted by it or them in connection with the broadcast of the Program Material.

- j. whether the Licensee identified the VNR program material as sponsored, and if so, the manner in which that identification took place.**

As noted in the previous answer, to the best of its knowledge, information, and belief, neither Media General nor any of its employees or representatives received any money, service, or other valuable consideration that was either directly or indirectly paid to it or them or promised or charged or accepted by it or them in connection with the broadcast of the Program Material. As such, as discussed below, the Program Material did not need to be identified as sponsored under current FCC standards.

- 2. For each VNR programming segment identified above, state whether the Licensee, or any of its employees or representatives, received or were promised any consideration, from any source, in exchange for airing the VNR program material. If so, provide the following information:**

- a. the person(s) from whom such consideration was received or was promised;**

Not applicable. As noted in the previous answer, to the best of its knowledge, information, and belief, neither Media General nor any of its employees or representatives received any money, service, or other valuable consideration that was either directly or indirectly paid to it or them or promised or charged or accepted by it or them in connection with the broadcast of the Program Material.

**b. the consideration involved;**

Not applicable. As noted in the previous answer, to the best of its knowledge, information, and belief, neither Media General nor any of its employees or representatives received any money, service, or other valuable consideration that was either directly or indirectly paid to it or them or promised or charged or accepted by it or them in connection with the broadcast of the Program Material.

**c. the dates on which the payment was promised and/or received;**

Not applicable. As noted in the previous answer, to the best of its knowledge, information, and belief, neither Media General nor any of its employees or representatives received any money, service, or other valuable consideration that was either directly or indirectly paid to it or them or promised or charged or accepted by it or them in connection with the broadcast of the Program Material.

**d. the circumstances surrounding each such payment or promise to pay; and**

Not applicable. As noted in the previous answer, to the best of its knowledge, information, and belief, neither Media General nor any of its employees or representatives received any money, service, or other valuable consideration that was either directly or indirectly paid to it or them or promised or charged or accepted by it or them in connection with the broadcast of the Program Material.

**e. any pertinent documents relating thereto.**

Not applicable. As noted in the previous answer, to the best of its knowledge, information, and belief, neither Media General nor any of its employees or representatives received any money, service, or other valuable consideration that was either directly or indirectly paid to it or them or promised or charged or accepted by it or them in connection with the broadcast of the Program Material.

**3. State the policies and procedures of the Licensee relating to:**

**a. compliance with 47 U.S.C. § 317 of the Communications Act of 1934, as amended, and the Commission's sponsorship identification rules;**

Media General takes very seriously its compliance with all provisions of the Communications Act of 1934, as amended, including Section 317, and all provisions of the Commission's rules, including the sponsorship identifications rules.

Media General employees receive a number of different materials regarding compliance in various forms. They receive an employee handbook in notebook form, which includes company policies, including prohibitions on conflicts of interest. The policies are also posted on an internal company-wide "MegaNet." See Exhibit 5. Company employees also must complete an annual "Conflict of Interest Disclosure Questionnaire," which includes questions related to

receipt of consideration. This questionnaire is included with a letter from the company's chief financial officer. *See* Exhibit 6.

Media General acquired WJAR in late June 2006. Non-union employees were provided the printed materials noted in the previous paragraph and asked to complete the relevant forms. Union employees are bound under their union contract to abide by these policies. All employees have access to the "MegaNet."

Media General also employs an in-house general counsel who is assisted by two staff attorneys. The general counsel has over 15 years experience in communications law. He is well versed in sponsorship identification issues because of this extensive experience and frequent updates on communications legal issues he receives from outside counsel and his frequent consultations with such counsel.

- b. provide a copy of any written policies and procedures that the Licensee uses or used during the relevant period to train its employees or representatives about compliance with sponsorship identification laws; and**

In addition to the materials noted in the previous response, Media General utilizes in training and expects employees to abide by News Operational Guidelines, which relate specifically to the reporting of news stories and address sponsorship policies. These guidelines are posted on the internal company-wide MegaNet. Attached as Exhibit 7 are excerpts from these guidelines that relate to "Video News Releases" and "News-Sales Relationships and Commercial Inventory & Sponsorships."

In addition to distributing the forms and materials discussed in the previous response, Media General Broadcast Group's Vice President of News has visited WJAR on numerous occasions and consults very frequently by telephone with its staff. As part of training seminars, employees receive information on FCC requirements as well as industry "best practices" and company policies that may be more stringent than FCC requirements.

Much of the training and development of WJAR's news staff occurs on-the-job. The news director meets on a daily basis with employees working on each of the station's newscasts. In these meetings, she reiterates company policies, including its policy against utilizing VNRs.

- c. the handling and use of VNR program material.**

Media General believes that government regulation of the content of VNRs has not yet been conclusively addressed and any regulation in this area, if adopted and enforced, would unconstitutionally chill protected speech. As is clear from the previous response, however, Media General has voluntarily chosen to take the very conservative course of avoiding use of any VNR unless there is compelling journalistic reason to do so. The guidelines attached as

Exhibit 7, drawn heavily from RTNDA's suggestions, set forth this policy.<sup>5</sup> The guidelines remind employees to add identification as to source whenever they use video that they did not shoot, that comes to them from outside their regular editorial channels, or that may have involved consideration earlier in the production or distribution chain, even if the station itself did not receive such consideration.

Also attached as Exhibit 8 is an email from WJAR's managing editor addressed specifically to the WJAR staff. This email sets forth and reiterates the company's policy regarding the labeling of video from "outside" sources, based on its voluntary efforts to subscribe to RTNDA standards. WJAR also has an "ombudsman," a former station reporter who is now practicing as an outside lawyer. He reviewed the broadcast of the Program Material and determined that internal company policy had been violated by its broadcast. As is his custom, he appeared on-air during a 6:00 p.m. newscast in November 2006 and presented a report on the incident. See Exhibit 9. As noted in his report, the station also established a "VNR task force" that met biweekly until January to review compliance and policies regarding VNRs. They continue to meet monthly.

- 4. To the extent not otherwise specifically requested, provide copies of all Documents that otherwise provide the basis for, support or otherwise relate to the responses to Inquiries 1 through 3 above.**

The following documents mentioned above are attached:

Exhibit 1 – "Advisory" from Medialink.

Exhibit 2 – Transcripts of the Program Material, as aired, and as provided by Medialink.

Exhibit 3 – FDA press release of October 5, 2006 and station website link posting report.

Exhibit 4 – Two recordings in VHS videotape format of the Program Material.

Exhibit 5 – Employee handbook and "MegaNet" excerpts.

Exhibit 6 – Annual conflict of interest questionnaire and transmittal.

Exhibit 7 – News guidelines on VNRs and sponsorship.

Exhibit 8 – Email to WJAR staff regarding labeling policy.

Exhibit 9 – Ombudsman's on-air script.

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<sup>5</sup> Media General agrees completely with RTNDA's submission of October 5, 2005 in MB Docket No. 05-171 ("*RTNDA Submission*"), regarding the use of VNRs by broadcast licensees and hereby incorporates by reference the legal arguments in that submission.

\* \* \* \*

To the best of its knowledge, information, and belief, neither Media General nor any of its employees or representatives received any money or other valuable consideration in connection with its broadcast of the Program Material. Neither did Media General nor any of its employees or representatives enter into any agreement or have any implicit understanding regarding WJAR's broadcast of the Program Material. Rather, Media General aired only parts of the video of the Program Material, which it received for free, in keeping with the exercise of its own independent editorial discretion and adding its own audio for all but a small portion of the segment when it utilized part of an interview of a doctor for Vanderbilt University. As Congress and the FCC have acknowledged, the broadcast of records provided for free to a broadcast station or a broadcast station's reliance on the contents of a press release do not trigger a sponsorship identification obligation.<sup>6</sup> In keeping with this precedent, Media General's actions in broadcasting the Program Material were fully consistent with statutory and regulatory requirements.

In adopting the current statutory provisions in 1960, Congress never could have anticipated the advent of VNRs. The legislative history of Section 317 confirms that in making changes in 1960 Congress intended that those modifications apply to the limited class of programs that Congress or the Commission previously identified as troubling.<sup>7</sup> The Commission traditionally has been reluctant to expand the reach of these rules because it "would significantly broaden the type of situations in which a sponsorship identification could be required, with no indication whatever that Congress intended such a result."<sup>8</sup>

The legislative history of Section 317 confirms the sponsorship identification rules apply to a limited class of programs.<sup>9</sup> On March 16, 1960, prior to adoption of the current Section 317 language, the Commission released a Public Notice interpreting Section 317 to require sponsor identification when a third party provided free material merely "with the hope that broadcast

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<sup>6</sup> See H.R. Rep. No. 1800 (1960), as reprinted in 1960 U.S.C.A.N. 3516, 3528-29 ("House Report") (examples 1, 3, and 11). As noted in the *RTNDA Submission*, an additional example confirms the principle that no announcement is required for material provided for free and makes clear that principle applies to material provided by businesses: "Thus, according to the Commission: 'A bus company prepares a scenic travel film which it furnishes for free to broadcast stations . . . . No announcement is required.'" *RTNDA Submission* at 11 (footnote omitted).

<sup>7</sup> See Barry G. Silverman, *Memorandum Opinion & Order* ("Silverman"), 63 FCC 2d 507, ¶ 15 (1977).

<sup>8</sup> Nat'l Ass'n for Better Broadcasting v. Television Station KCOP(TV), Los Angeles, California, *Memorandum Opinion & Order* ("KCOP(TV)"), 4 FCC Rcd 4988, ¶ 16 (1988)

<sup>9</sup> *Silverman*, 63 FCC 2d at ¶ 15 ("Congress intended to limit [the sponsorship identification] requirement to certain well defined program types.").



exposure would result.”<sup>10</sup> This appears to be the manner in which the CMD Report interprets Section 317 with respect to VNRs. Congress, however, swiftly rejected that interpretation by amending Section 317 to limit the scope of cases requiring sponsorship identification.<sup>11</sup>

In its amendment, Congress established the current rule that material received at no charge generally does not require sponsor identification.<sup>12</sup> The amendment added the following proviso directly addressing the applicability of Section 317 when material is provided to a broadcast station for free:

Provided, That “service or other valuable consideration” shall not include any service or property furnished without charge or at a nominal charge for use on, or in connection with, a broadcast unless it is so furnished in consideration for an identification in a broadcast of any person, product, service, trademark, or brand name beyond an identification which is reasonably related to the use of such service or property on the broadcast.<sup>13</sup>

To aid the Commission in interpreting the proper scope of Section 317, the House Committee Report provided several examples to clarify Congress’s intended effect. Congress, quite simply, seemed not to have been concerned with the presentation of audio or video mentioning a product in situations in which no money or valuable consideration flows to the station and the featured audio or video did not “hype” or “push” a product or service.

Congress at the time was focused on gifts and other consideration flowing directly to broadcasters and other station personnel in exchange for product promotion. For example, an automobile dealer *gives* a new car in exchange for broadcast mentions.<sup>14</sup> A refrigerator manufacturer *gives* a refrigerator in exchange for a free sales pitch about the refrigerator.<sup>15</sup> A piano manufacturer *gives* a piano to a concert show in exchange for excessive mentions of the piano.<sup>16</sup> In each of the above examples, the theme is the same -- the broadcaster receives valuable consideration in connection with the broadcast.

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<sup>10</sup> Sponsorship Identification of Broadcast Material, *Public Notice 85460*, FCC 60-239 (Mar. 16, 1960) as reprinted in 1960 U.S.C.C.A.N. 3541, 3545.

<sup>11</sup> See *KCOP(TV)*, 4 FCC Rcd 4988, ¶¶ 14-15.

<sup>12</sup> See *House Report*, as reprinted in 1960 U.S.C.C.A.N. at 3527.

<sup>13</sup> 47 U.S.C. § 317(a) (2001). A virtually identical exception appears in 47 C.F.R. § 73.1212(a)(2) (2006).

<sup>14</sup> See *House Report*, as reprinted in 1960 U.S.C.C.A.N. at 3529 (example 8).

<sup>15</sup> See *id.* at 3530 (example 23).

<sup>16</sup> See *id.* at 3532 (example 27).

The Program Material at issue in this response does not fit the pattern of material that Congress sought to include under Section 317. Neither Media General nor any of its employees or representatives received any valuable consideration in connection with airing the Program Material. Media General did not have any implicit agreement that induced WJAR to air the Program Material. Under these circumstances, it is evident that Congress did not intend to sanction a case like this.

Longstanding Commission precedent also confirms that final editorial control is an essential element of the sponsorship identification rules. A third party cannot be a sponsor if it does not have editorial control.<sup>17</sup> Final editorial control is necessary even if the third party pays the entire cost of production and even if that party makes some editorial suggestions. If the third party does not have final editorial control, that party is not deemed a sponsor of the programming.

Media General made the decision to broadcast the Program Material and, throughout the broadcast, retained full editorial control over modifying and changing the Program Material as Media General saw fit. Media General significantly shortened the Program Material and, with the exception of an on-air appearance by a doctor from Vanderbilt University, who was identified in superimposed lettering, broadcast only very limited excerpts of the video portion of the Program Material as "B-roll." The station's news reporter wrote and delivered her own story. Media General controlled the presentation, which further confirms that its actions did not violate FCC requirements.

The disclosure requirements under Section 507 of the Communications Act, as amended, also do not apply to Media General's broadcast.<sup>18</sup> Congress passed Section 507 as part of the same 1960 amendments to the Communications Act that had resulted in the clarification of Section 317. Even though Congress used broad language in making the Section 507 changes, it only intended Section 507 to apply "to those in fact responsible for the selection and inclusion of broadcast matter."<sup>19</sup> Prior to the 1960 amendments, Section 317 had only applied to licensees and did not cover payments to disc jockeys, program directors, or other station employees directly responsible for the selection of program material.<sup>20</sup> With Section 507, Congress sought

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<sup>17</sup> See, e.g., Advertising Council Request for Declaratory Ruling or Waiver Concerning Sponsorship Identification Rules, *Order*, 17 FCC Rcd 22, 616, ¶ 18 (2002) (stating that editorial control is "an indicia of sponsorship").

<sup>18</sup> See 47 U.S.C.A. § 508 (2001).

<sup>19</sup> *House Report, as reprinted in* 1960 U.S.C.C.A.N. at 3527.

<sup>20</sup> See *id.* at 3526-27.

to close this loophole.<sup>21</sup> At the same time, however, Congress made clear that Section 507 applies "to those in fact responsible for the selection and inclusion of broadcast matter."<sup>22</sup>

As such, Section 507 does not require disclosure of any consideration, if any, that may have flowed to public relations firms in the preparation of the Program Material. Such entities have no power to influence program selection on WJAR. They can only make available information to the station, as anyone else would. Media General alone decided whether to include the material that was provided. While Section 507 applies to WJAR personnel because they have the power to affect programming decisions, Section 507 cannot and does not apply to those who cannot influence programming decisions.

Furthermore, Congress never intended to include public relations firms providing free VNRs to stations as among the entities covered by Section 507. As noted above and as the *House Report* explained, sponsorship identification is unnecessary for press releases.<sup>23</sup> Organizations, however, often pay public relations firms to create and distribute press releases. Congress would not have excluded press releases under Section 317, only to require identification through a backdoor trap in Section 507.

Whether a public relations firm was paid to produce and market the segment is irrelevant in determining the outcome of this case. If the companies involved in preparation of the segment had produced the VNR themselves without the aid of a third party, no payments would have been made, and Section 507(b) clearly would not apply. The Commission should not read Section 507(b) so broadly as to require sponsor identification whenever a company happens to outsource program production to a public relations firm.

Reinterpreting the Communications Act and FCC's rules to require identification of VNRs that may be incorporated into newscasts would unconstitutionally infringe on the editorial process and violate the First Amendment. With the constant threat of forfeitures, licensees would forego innovative and informative programming. If the Commission chooses to disregard decades of precedent and declare that free VNRs now require identification, the chilling effect on news coverage would be profound. As the United States Supreme Court observed more than thirty years ago, "[i]t has yet to be demonstrated how governmental regulation of this crucial process can be exercised consistent with the First Amendment guarantees of a free press as they have evolved to this time."<sup>24</sup>

Nevertheless, if the Commission now intends to expand its sponsorship identification requirements to include VNRs provided to stations without charge by public relations firms and

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<sup>21</sup> *See id.*

<sup>22</sup> *Id.* at 3527.

<sup>23</sup> *See id.* at 3529 (example 11).

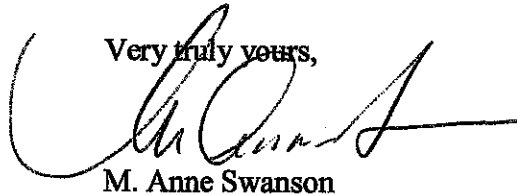
<sup>24</sup> *Miami Herald Publ'g Co. v. Tornillo*, 418 U.S. 241, 258 (1974).

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sanction stations that broadcast them, the Commission must first clearly warn licensees of what is now expected.<sup>25</sup> With traditional FCC practice and significant portions of legislative history as well as Congressional intent to the contrary, the Commission cannot now sanction stations that may have acted contrary to current political sentiment disfavoring VNRs.

Based on the foregoing, Media General respectfully contends that further action by the Commission is not warranted. If the Commission disagrees with this assessment, Media General submits the Commission can follow one of two courses. It may act in this case of first impression involving VNRs to waive the requirements of sponsorship identification under Section 317(d). Alternatively, it may determine that Media General's actions were inconsistent with regulatory requirements but do not warrant a sanction or, at most, an admonishment. If you have any further questions about this matter, please contact me.

Very truly yours,



M. Anne Swanson

cc (w/partial encl.) (VHS videotapes not included):  
Melanie Godschall, Esquire (via email)  
Ben Bartolome, Esquire (via email)

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<sup>25</sup> See *Trinity Broad. of Fla., Inc. v. FCC*, 211 F.3d 618, 628 (D.C. Cir. 2000).

**DECLARATION**

1. My name is George L. Mahoney. I am Vice President, General Counsel, and Secretary of Media General, Inc. I have served as the company's in-house counsel since 1993.

I am the Secretary of Media General Communications Holdings, LLC, the licensee of WJAR(TV), Providence, Rhode Island, and a wholly-owned, indirect subsidiary of Media General, Inc.

2. I have reviewed the attached response to the Federal Communications Commission's letter inquiry of April 26, 2007, which has been prepared on behalf of WJAR(TV). The response has been prepared under my ultimate supervision and review.

3. The factual statements included in the response are true and accurate to the best of my knowledge, information, and belief.

4. All of the information and/or recordings requested by the FCC's letter inquiry of April 26, 2007, which are in the licensee's possession, custody, control or knowledge have been produced, to the best of my knowledge, information, and belief.

5. I declare under penalty of perjury that the foregoing is true and correct.

By \_\_\_\_\_  
George L. Mahoney

Date: \_\_\_\_\_

Nov 20, 2007

**DECLARATION**

1. My name is Betty Jo Cugini. I am the news director of WJAR(TV), Providence, Rhode Island.
2. I have reviewed the attached response to the Federal Communications Commission's letter inquiry of April 26, 2007, which has been prepared on behalf of WJAR(TV). The response has been prepared under my supervision and review.
3. The factual statements included in the response are true and accurate to the best of my knowledge, information, and belief.
4. All of the information and/or recordings requested by the FCC's letter inquiry of April 26, 2007, which are in the licensee's possession, custody, control or knowledge have been produced, to the best of my knowledge, information, and belief.
5. I declare under penalty of perjury that the foregoing is true and correct.

By Betty Jo Cugini  
Betty Jo Cugini

Date: 6/24/07

**EXHIBIT 1**

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SUBJECT: JUST IN TIME FOR FLU SEASON

New Flu Vaccine FDA Approval Adds Millions More Doses to the Country's Supply this Season

ATTN: News Producers/Assignment Editors/Satellite News Coordinators

KEYWORDS: Healthcare Pharmaceuticals Flu Season FDA

The following is a satellite newsfeed advisory:

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STORY SUMMARY:

There is good news for the U.S. flu vaccine supply. The U.S. Food and Drug Administration has approved FluLaval for the active immunization of adults 18 years and older against influenza disease. The vaccine's maker, GlaxoSmithKline, expects to provide approximately millions of doses of seasonal influenza vaccines -- FluLaval and Fluarix which received its approval last year -- to the U.S. market this season.

The flu is a highly contagious and potentially deadly virus that affects five to 20 percent of the total U.S. population during each flu season. Each year more than 200,000 people are hospitalized and approximately 36,000 people die from complications of the flu. Complications of the illness can be very serious for high-risk groups, which include the very young, people 50 years of age and older, the chronically ill and women who will become pregnant during the flu season.

According to the CDC, the single best way to protect yourself against the flu is to get vaccinated. In addition to the high risk groups mentioned previously, health officials especially urge healthcare workers to get vaccinated, as they are on the front lines of patient care.

This satellite feed features SOTs from:

- William Schaffner, MD, Infectious Disease Specialist, Vanderbilt University School of Medicine
- Vicki Brinsko, RN, Vanderbilt University Medical Center

B-roll includes:

- People getting vaccinated
- Infectious disease specialists at work
- People sneezing, coughing

This feed is free for unrestricted use. Produced for GlaxoSmithKline.

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FEED DATE: MONDAY OCTOBER 9, 2006

FEED TIME: 10:00 - 10:30 AM ET (FED IN ROTATION)

FEED TIME: 1:00 - 1:30 PM ET (FED IN ROTATION)

COORDINATES: C-BAND: IA 5 (C) / TRANSPONDER 19 /  
AUDIO 6.2 & 6.8 / DOWNLINK: 4080 (V)

\*\*\*\*This story will be available on the Pathfire DMG\*\*\*\*

Under Video News Feeds at Medialink

Story Number: 10NY06-0108 Story Slug: FDA Approves FluLaval

CBS stations and FOX stations please be advised this news package is available for your convenience on CBS NEWSPATH and FOX NEWS EDGE at the following times:

CBS NEWSPATH - 12:30 pm ET | FOX NEWS EDGE - 2:30 pm ET

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FOR MORE INFORMATION OR TO REQUEST A HARD COPY TAPE:

MEDIALINK MEDIA RELATIONS DEPARTMENT

Lisa Zlotnick / Lana Kim



212.812.7129 / 212.812.7132

lzlotnick@medialink.com / lkim@medialink.com

For technical help with Pathfire please call technical support at: 1-888-345-0489

FOR TECHNICAL INFORMATION, CONTACT: Medialink, 212-682-8300 / 800-843-0677

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THIS FEED IS FREE FOR UNRESTRICTED USE.

A HARD COPY CAN BE OBTAINED BY CONTACTING MEDIALINK AT 212-812-7040.

WE WELCOME YOUR COMMENTS REGARDING FEED CONTENT AND QUALITY.

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**EXHIBIT 2**

**WJAR: ON-AIR VNR CLIP**

**MALE NEWSCASTER:** The government approves an additional vaccine for the upcoming flu season. Here's Barbara Morse Silva and tonight's "Health Check."

**BARBARA MORSE SILVA:** Hi, everyone. Every year more than 200,000 folks in this country are hospitalized because of the flu. That's why, once again, the CDC is recommending folks get a protective shot in the arm – a flu shot – and now there's a new option. A newly approved vaccine called Flulaval.

**DR. WILLIAM SCHAFFNER:** The best method for preventing flu is, of course, getting your annual flu shot. And the approval of a new flu vaccine will add millions of doses to the U.S. vaccine supply and will add a choice for preventing influenza.

**BARBARA MORSE SILVA:** The vaccine contains inactivated or "killed" virus and cannot cause the flu. It is approved for use in folks 18 and older, *not* for children. For more information on this new flu vaccine, you can log on to Turner10.com and click on "Health." In other health news . . . .

[End of video clip -- 51 seconds]

**WJAR: UNEDITED CMD VNR**

- EMILY WRIGHT: The flu affects millions of Americans every year, resulting in thousands of hospitalizations and even deaths. According to the Centers for Disease Control and Prevention, the single best way to protect against the flu is by getting vaccinated every fall.
- WILLIAM SCHAFFNER, MD: Flu is a highly contagious and potentially fatal disease. That's why it's so important that all adults, but especially those who work in healthcare facilities, stay healthy by being vaccinated every year.
- EMILY WRIGHT: There is good news for the 2006-2007 flu season. The FDA has approved Flulaval, a new flu vaccine for the immunization of adults 18 and older against influenza disease.
- WILLIAM SCHAFFNER, MD: The best method for preventing flu is, of course, getting your annual flu shot. And the approval of a new flu vaccine will add millions of doses to the U.S. vaccine supply and will add a choice for preventing influenza.
- VICKI BRINSKO, RN: As a mother and a nurse, I think it's extremely important to get the influenza vaccine to protect myself from getting ill, because I need to work, and to protect my family, because I don't want to go home and give them anything, and then to protect my patients.
- EMILY WRIGHT: According to the CDC, anyone who wants to reduce their chances of getting the flu should get vaccinated. Complications of flu can be very serious for high-risk groups, which include the very young, people 50 years of age or older, the chronically ill, and women who will be pregnant during the flu season.
- WILLIAM SCHAFFNER, MD: Ready?
- VICKI BRINSKO, RN: Ready.
- EMILY WRIGHT: All healthcare workers and caregivers of young children and the elderly should also ask their doctor for a flu shot to help make sure they won't infect others. I'm Emily Wright.

(Disclaimer/Flulaval Indication): Flulaval is indicated

for active immunization of adults, 18 years of age and older, against influenza disease caused by influenza virus subtypes A and B contained in the vaccine. This indication is based on immune response elicited by Flulaval, and there have been no controlled trials demonstrating a decrease in influenza disease after vaccination with Flulaval. Flulaval is not indicated for use in children.

(Fair Balance Statement) Flulaval should not be administered to anyone with known systemic hypersensitivity reactions to egg proteins (eggs or egg products), chicken proteins or any component of Flulaval. Flulaval should not be administered to anyone who has had a life-threatening reaction to previous administration of any influenza vaccine or to anyone with an acute evolving neurologic disorder. If Guillain-Barré Syndrome has occurred within six weeks of receipt of prior influenza vaccine, the decision to give Flulaval should be based on careful consideration of the potential benefits and risks. Flulaval should not be given to individuals with bleeding disorders such as hemophilia or thrombocytopenia or to persons on anticoagulant therapy, unless the potential benefit clearly outweighs the risk of administration. If the decision is made to administer Flulaval to such persons, steps should be considered to control the risk of hematoma following the injection. If Flulaval is administered to immunocompromised persons, including individuals receiving immunosuppressive therapy, the expected immune response may not be obtained. Flulaval contains noninfectious killed viruses and cannot cause influenza. Coincidental respiratory disease unrelated to influenza vaccine can occur after vaccination. In comparative controlled clinical trials with Flulaval, the most common adverse events were pain, redness and/or swelling at the injection site and headache, fatigue, myalgia, fever and malaise. Most adverse events in clinical trials were mild and self-limited. (See adverse reactions section of the prescribing information for Flulaval for other potential adverse events.) Vaccination with Flulaval may not protect 100% of susceptible individuals.

[End video clip -- 3 minutes, 40 seconds]

**EXHIBIT 3**



U.S. Food and Drug Administration

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## FDA News

### FOR IMMEDIATE RELEASE

P06-156

October 5, 2006

### Media Inquiries:

Paul Richards, 301-827-6242

### Consumer Inquiries:

888-INFO-FDA

## FDA Approves Additional Vaccine for Upcoming Influenza Season

The U.S. Food and Drug Administration (FDA) today approved FluLaval, an influenza vaccine to immunize people 18 years of age and older against the disease caused by strains of influenza virus judged likely to cause seasonal flu in the Northern Hemisphere in 2006-2007. With the addition of FluLaval, there are now five FDA-licensed vaccines for the United States for the upcoming influenza season.

According to the Centers for Disease Control and Prevention (CDC), the manufacturers have projected making a total of about 115 million doses of influenza vaccine for the 2006-2007 season, but these projections could change as manufacturing continues.

"FDA's Center for Biologics Evaluation and Research (CBER) has taken proactive steps, through additional scientific work and guidance development, to enable manufacturers to improve the science of developing vaccines," said Andrew C. von Eschenbach, M.D., Acting Commissioner, Food and Drugs. "That work is paying off in heightened interest among product developers in entering this vital market."

Influenza, a contagious respiratory disease, is commonly called "the flu."

According to CDC, every year in the United States, on average: 5 to 20 percent of the population gets seasonal flu; more than 200,000 people are hospitalized from its complications; and about 36,000 people die.

FluLaval was approved using FDA's accelerated approval pathway, which allows the agency to approve products for serious or life-threatening diseases based on early evidence of a product's effectiveness, reducing the time it takes for needed medical products to become available to the public. In this case, the manufacturer demonstrated that the vaccine induced levels of antibodies in the blood likely to be effective in preventing seasonal influenza. As part of the accelerated approval process, the manufacturer will conduct further studies to verify that the vaccine will decrease seasonal influenza disease after vaccination.

"The challenges of vaccine supply in past flu seasons, the broadening CDC recommendations for annual vaccination, and the threat of a future avian influenza pandemic, all emphasize the value of adding more manufacturers and production capacity. We all benefit from more high quality flu vaccine manufacturers and increased supply," said Jesse L. Goodman, M.D., M.P.H., director, CBER, FDA. "The successful use of accelerated approval illustrates both the value of tools that FDA has put into place to meet critical public health needs, and the benefits of intensive scientific interactions between FDA and manufacturers and advice from FDA during product development and evaluation."

Safety information was collected from two clinical studies involving about 1,000 adults who

received FluLaval. Other data from use of the vaccine in Canada, where FluLaval has been available since 2001, were also evaluated as part of FDA's safety assessment. After vaccination, the rate and nature of side effects were similar to those seen with other licensed seasonal influenza vaccines. The most commonly reported side effects included pain, redness and swelling at the injection site and headache, fatigue, and cough.

The vaccine contains inactivated or "killed" virus and cannot cause flu. It is administered as a single injection in the upper arm. The vaccine is packaged in a multi-dose vial with thimerosal, a mercury derivative, as a preservative. The company has plans to develop a thimerosal-reduced or thimerosal-free formulation for studies in the pediatric population.

People who are allergic to eggs, chicken proteins, or any other components of the vaccine should not receive FluLaval. FluLaval has not been studied in children and pregnant women.

Seasonal influenza is a serious threat to public health. It can cause mild to severe illness, and at times can lead to death. Although no vaccine is 100 percent effective against preventing disease, vaccination is the best protection against seasonal influenza and can prevent many illnesses and deaths. It is best to be immunized in October or November, but getting the vaccine in the winter months when flu season often peaks is also recommended.

FluLaval is manufactured by ID Biomedical Corporation of Quebec, Canada, a subsidiary of GlaxoSmithKline Biologics and will be distributed by GlaxoSmithKline, Research Triangle Park, N.C.

FluLaval is the second seasonal influenza vaccine approved using the accelerated approval process; GlaxoSmithKline's Fluarix received approval in 2005.

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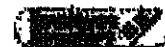
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**EXHIBIT 4**

**Two VHS videotapes of the Program Material  
are included with the original filing.**

**EXHIBIT 5**



## MEDIA GENERAL EMPLOYEE HANDBOOK - POLICIES

Employee Handbook

### Conflicts of Interest and Confidentiality

▶ [Letter from Marshall Morton](#)

With the exception of its employees, the Company considers its most valuable asset to be its confidential information. Confidential information includes, but is not limited to, internal and/or customer-received information relating to trade secrets, processes, data, marketing and business plans, strategies, forecasts, news, stock market information, editorials and advertising ("confidential information"). The Company desires to protect its own and its customers' confidential information. Under no circumstances should any employee divulge such confidential information prior to its publication or broadcast. If an employee is asked to reveal confidential information prior to its release to the public, he or she should report the request to management immediately.

Employees or members of their families should not

1. Pay to/or receive anything of value from any firm or person with which the Company is doing or seeking to do business other than nominal promotional items and entertainment.
2. Have any direct or indirect financial interest in any firm or person doing or seeking to do business with the Company, or any of its subsidiaries (excluding shares listed on a national stock exchange).
3. Authorize or receive any reimbursement from Media General, or any of its subsidiaries, for amounts paid to any political party, candidate for public office or government official (excluding business meals, nominal entertainment and gifts of nominal value).
4. Participate in or authorize any misleading or false entries in the records of Media General or any of its subsidiaries or fail to disclose any transactions of the Company which have not been recorded or properly described in the books of account.
5. Establish or operate any unrecorded or undisclosed fund.
6. Accept outside or part-time jobs without approval by their immediate supervisor.  
Please see the Outside Employment Policy in this Handbook.
7. Enter or receive prizes from any game, puzzle or contest that appears in a Company promotion.

[Top](#)

[From company handbook]

## ACKNOWLEDGEMENT

(Revised May 2004)

**[Submit your signed Acknowledgement form to your local Human Resources Representative.]**

I acknowledge by my signature below the receipt of a Media General Employee Handbook. This new Handbook replaces all handbooks, manuals and guides previously published by Media General or related properties. I understand and agree that this Handbook is a partial listing of some of the policies, benefits, programs, and procedures of Media General properties and that failure to adhere to these policies and procedures could result in disciplinary action, up to and including termination with or without notice.

I understand that Media General can, at its sole discretion, modify, eliminate, revise or deviate from the guidelines and information in this manual as circumstances or situations warrant.

I understand that any changes made by Media General with respect to its policies, procedures, or programs can supersede, modify or eliminate any of the policies, procedures or programs outlined in this Handbook.

I also understand that it is my responsibility to read this document and to understand the material stated herein. If I have questions about the information contained in this guide, I will contact my supervisor or my local Human Resources Representative for clarification.

Furthermore, I acknowledge that this "guide" is neither a contract of employment nor a legal document and nothing in this Handbook creates an express or implied contract of employment. I understand that I should consult my supervisor or a representative of the Human Resources Department if I have any questions that are not answered in this manual.

**I UNDERSTAND THAT THIS EMPLOYEE HANDBOOK DOES NOT CREATE AN EMPLOYMENT CONTRACT, AND THAT MY EMPLOYMENT RELATIONSHIP WITH THE COMPANY IS AT-WILL, UNLESS OTHERWISE STATED IN A SEPARATE DOCUMENT SIGNED BY BOTH PARTIES.**

NAME (PRINTED) \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

[From company handbook  
as posted on Mega-Net]

**MEDIA GENERAL, INC. AND SUBSIDIARIES**

**CODE OF BUSINESS CONDUCT AND ETHICS**

**Introduction**

This Code of Business Conduct and Ethics covers a wide range of business practices and procedures. It does not cover every issue that may arise; rather it sets out basic principles of business integrity to guide our Company and to help foster a culture of honesty, excellence and accountability. Please also refer to applicable guides provided by the Company to employees.

The matters contained in this Code are particularly important at Media General and its subsidiaries (Company) because of the "public trust" element of responsible journalism. For that reason, we expect all of our employees, in all of their dealings with each other and with others on behalf of the Company, to conduct themselves so as to avoid even the appearance of improper behavior.

If a law conflicts with a policy in this Code, employees must comply with the law; otherwise, all employees are expected to comply with the Code.

Those who violate the standards in this Code will be subject to disciplinary action. If you have questions or are in a situation that you believe may violate or lead to a violation of this Code, follow the "Compliance Procedures" at the end of this Code.

**1. Compliance with Laws, Rules and Regulations**

Obeying the law, both in letter and in spirit, is the foundation on which this Company's ethical standards are built. All employees must respect and obey the laws of the jurisdictions in which we operate. Although not all employees are expected to know all the details of these laws, it is important to know enough to determine when to seek advice from supervisors, managers or other appropriate personnel.

(more)

**2. Conflicts of Interest**

A "conflict of interest" exists when a person's private interest interferes in any way with the interests of the Company. A conflict situation can arise when an employee, officer or director takes actions or has interests that may make it difficult to perform his or her Company work objectively and effectively. Conflicts of interest also may arise when an employee, officer or director, or a member of his or her family, receives improper personal benefits as a result of his or her position in the Company. Loans to, or guarantees of obligations of, employees, officers or directors and their family members may create conflicts of interest.

It is almost always a conflict of interest for a Company employee to work simultaneously for a competitor, customer or supplier. Employees, officers and directors are not allowed to work for a competitor as an employee, consultant or board member. The best policy is to avoid any direct or indirect business connection with our customers, suppliers or competitors, except on our behalf.

Conflicts of interest are prohibited as a matter of Company policy. Conflicts of interest may not always be clear-cut, so if questions arise, employees should consult with their supervisor or follow the "Compliance Procedures" at the end of this Code. Any employee who becomes aware of a conflict or potential conflict must bring it to the attention of a supervisor or other appropriate personnel, as described below. It also is important to be sensitive to matters that may appear to create conflicts of interest.

**3. Insider Trading**

Employees, officers and directors who have access to non-public information regarding the Company or any other entity are not permitted to use or share that information for purposes of trading securities of the Company or such other entity or for any other purpose except the conduct of our business. To use non-public information for personal financial benefit or to "tip" others who might make an investment decision on the basis of this information is unethical and illegal.

**4. Corporate Opportunities**

Employees, officers and directors are prohibited from taking for themselves personally opportunities that are discovered through the use of corporate information or position without the consent of the Company. No employee may use corporate property, information or position for improper personal gain, and no employee may compete with the Company directly or indirectly. Employees, officers and directors owe a duty to the Company to advance its legitimate interests when the opportunity to do so arises.

(more)



**5. Competition and Fair Dealing**

We are committed to business success through maintenance of the highest standards of responsibility and ethics; we seek to outperform our competition fairly and honestly; we seek competitive advantages through superior performance, never through unethical or illegal business practices. Each employee should endeavor to respect the rights of and deal fairly with the Company's customers, suppliers, competitors and employees.

The purpose of business entertainment and gifts in a commercial setting is to create good will and sound working relationships, not to gain unfair advantage with customers. No gift or entertainment should ever be offered, given, provided or accepted by any Company employee, family member of an employee or agent unless it: (1) is not a cash gift, (2) is consistent with customary business practices, (3) is not excessive in value, (4) cannot be construed as a bribe or payoff and (5) does not violate any law or regulation. The direct or indirect use of any Company funds or assets for political contributions of any kind, or the establishment or administration of any committee or other organization for raising or making political contributions is prohibited. Please discuss with your supervisor any gifts or proposed gifts that you are not certain are appropriate.

**6. Discrimination and Harassment**

We are committed to providing equal opportunity in all aspects of employment and, consistent with the Company's long-established policies, we have a "zero tolerance policy" for all illegal discrimination and harassment. Please refer to the Company's Anti-Harassment Policy.

**7. Health and Safety**

The Company strives to provide each employee with a safe and healthful work environment. Each employee has responsibility for maintaining a safe and healthy workplace for all employees by following safety and health rules and practices and reporting accidents, injuries and unsafe equipment, practices or conditions. Violence and threatening behavior are not permitted.

**8. Record-Keeping**

The Company requires honest and accurate recording and reporting of information in order to make responsible business decisions. For example, only the true and actual number of hours worked can be reported.

Business expenses incurred by employees must be authorized and must be documented and recorded accurately. An employee's supervisor should be consulted if the employee is not sure whether a certain expense is legitimate.

(more)

All of the Company's books, records, accounts and financial statements will be maintained in reasonable detail, will appropriately reflect the Company's transactions and will conform both to applicable legal requirements and to the Company's system of internal controls. Unrecorded funds or assets shall not be maintained.

Business records and communications often become public. Consequently, employees should avoid exaggeration, derogatory remarks, guesswork and inappropriate characterizations of people and companies that could be misunderstood. This applies as well to email. Records should always be retained or destroyed according to the Company's established record retention policies.

**9. Confidentiality**

Employees must maintain the confidentiality of proprietary information entrusted to them by the Company or its customers, except when disclosure is authorized or required by law. Proprietary information includes news and advertising materials submitted to the Company with the expectation of confidentiality until their release to the public and all non-public information that might be of use to competitors, or harmful to the Company or its customers if disclosed. It also includes intellectual property such as trade secrets, patents, trademarks and copyrights, as well as business, marketing and service plans, engineering and manufacturing ideas, designs, databases, records, salary information, unpublished financial data and reports and information that suppliers and customers have entrusted to us. The obligation to preserve proprietary information continues even after employment ends. Disclosure at any time also could be illegal and could result in civil or criminal penalties.

**10. Protection and Proper Use of Company Assets**

All employees should endeavor to protect the Company's assets and ensure their efficient use. Theft, carelessness and waste have a direct impact on our profitability. Any suspected incident of fraud or theft should be immediately reported for investigation. Company equipment should not be used for non-Company business, though incidental personal use may be permitted.

**11. Payments to Government Personnel**

The U.S. government has a number of laws and regulations regarding business gratuities which may be accepted by U.S. government personnel. The promise, offer or delivery to an official or employee of the U.S. government of a gift, favor or other gratuity in violation of these rules would not only violate Company policy but could also be a criminal offense. State and local governments, as well as foreign governments, may have similar rules.

(more)

**12. Reporting Any Illegal or Unethical Behavior**

Employees are encouraged to talk to supervisors or other appropriate personnel about observed illegal or unethical behavior or if they are in doubt about the best course of action in a particular situation. It is the policy of the Company not to allow retaliation for reports of misconduct made in good faith by employees. Employees additionally are expected to cooperate in internal investigations of misconduct.

**13. Full Disclosure Policy**

It is the Company's policy to make full, fair, accurate, timely and understandable disclosure in compliance with all applicable laws and regulations in all reports and documents that the Company files with, or submits to, the Securities and Exchange Commission (SEC) and in all other public communications made by the Company. If the Chief Executive Officer (CEO), the Chief Financial Officer, the Controller, any other person acting as the Company's principal accounting officer or any persons performing similar functions (senior financial officers) become aware of material information that affects the disclosures made or to be made by the Company in its SEC filings or submissions or other public communications, he or she promptly should bring such information to the attention of the Company personnel responsible for preparing such disclosures.

**14. Compliance Procedures**

All of us must work to ensure prompt and consistent action against violations of this Code. However, since we cannot anticipate every situation that will arise, it is important that we have a way to approach a new question or problem. These are the steps to keep in mind:

- Make sure you have all the facts. In order to reach the right solutions, we must be as fully informed as possible.
- Ask yourself: What specifically am I being asked to do? Does it seem unethical or improper? This will enable you to focus on the specific question you are faced with, and on the alternatives you have. Use your judgment and common sense; if something seems unethical or improper, it probably is.
- Clarify your responsibility and role. In many situations, there is shared information and responsibility. Are your colleagues informed? It may help to get others involved to discuss the problem.
- Discuss the problem with your supervisor. This is the basic guidance for all situations. In many cases, your supervisor will be more knowledgeable about the question, and he or she will appreciate being brought into the process. Remember that it is your supervisor's responsibility to help solve problems.

- Utilize the Company's "Open Door" policy. In the rare case where it may not be appropriate to discuss an issue with your supervisor, or where you do not feel comfortable approaching your supervisor with your question, remember that the Company maintains an "Open Door" policy so that you may discuss the issue locally with your office manager or your local or divisional Human Resources manager. If that is not appropriate or satisfactory, Media General's "Open Door" policy allows you to continue to raise the matter to higher levels of management, including ultimately the Chief Executive Officer and the Board of Directors, or, if you prefer, to the Company's General Counsel.

***Note as to scope and waivers of this Code:***

***This Code applies to all employees, officers and directors of the Company. It also is intended to constitute the code of ethics for the Company's CEO and senior financial officers pursuant to Item 406 of Regulation S-X of the SEC. Any waiver of this Code for the Company's executive officers or directors may be made only by the Board of Directors of Media General, Inc., and, as required, will be promptly disclosed to shareholders and as further required by law or regulation of the New York Stock Exchange.***

**EXHIBIT 6**

## Media General, Inc. and Subsidiaries Employee Conflict of Interest

▶[Conflict of Interest Policy](#)

Letter from Vice President Finance and CFO, John A. Schauss

December 13, 2006

Dear Employee:

Media General, Inc. has consistently sought to maintain the highest ethical and moral standards possible in dealing with employees, the public, business establishments and governmental agencies. In order to preserve such a standard, our commitment must be widespread throughout the company and must ultimately rest with each individual employee.

It is our policy to obtain annual disclosure statements of any possible conflict of interest which may exist in performing your responsibilities as an officer or employee of Media General, Inc. or its subsidiaries. This includes receiving or making any payments of corporate funds, directly or indirectly, to or from any governmental official, political party or candidate for political office.

The Conflict of Interest questionnaire can be accessed by using the link located at the bottom of this letter. Simply hit the control button while clicking on the link to pull up the questionnaire. Please assist us by reviewing and circling the appropriate answers, and signing the form. Remember that any "Yes" answer must be fully explained in a written memorandum accompanying your reply. The completed questionnaire **must** be returned to Internal Audit by Friday, January 12, 2007. Do not return it to me. The best option, if no explanations are necessary, is to fax to Nim Butterworth in Internal Audit at (804) 648-1077. You can also give your completed questionnaire to your company's Controller or Business Manager for mailing in mass, or mail it directly to Media General, Inc., Internal Audit Department, P.O. Box 85333, Richmond, VA 23293. If you would prefer confidentiality, please put your questionnaire in a sealed envelope before giving to your Business Manager or Controller.

If circumstances arise in the future which would require an affirmative answer to any of these questions, you should report those circumstances directly to the Director of Internal Audit, Tom Foster.

John A. Schauss

**Media General, Inc. and Subsidiaries Employee  
Conflict of Interest Disclosure Questionnaire – 2006**

To the best of your knowledge, have you, any member of your family, any company officer, or any employee participated in or have knowledge of any of the following activities in the past 12 months:

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                 |            |           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------|
| 1. Received anything of value, other than nominal promotional items and entertainment from any firm or person doing or seeking to do business with Media General, Inc. or any subsidiary ("the Company") since December 31, 2005?                                                                                                                                                                                                               | <b>Yes</b> | <b>No</b> |
| 2. Paid or transferred anything of value, other than nominal promotional items and entertainment, to any firm or person with which the Company is doing or seeking to do business since December 31, 2005?                                                                                                                                                                                                                                      | <b>Yes</b> | <b>No</b> |
| 3. Had any dealings or transactions with the Company other than in the normal course of business (such as the receipt of salary and employee benefits) since December 31, 2005?                                                                                                                                                                                                                                                                 | <b>Yes</b> | <b>No</b> |
| 4. Had any material direct or indirect financial interest in any firm or person doing or seeking to do business with the Company (excluding shares listed on a national stock exchange) since December 31, 2005?                                                                                                                                                                                                                                | <b>Yes</b> | <b>No</b> |
| 5. Become aware of the Company or any person acting on its behalf rendering, making or authorizing any personal services or payment of Company funds, directly or indirectly, to any political party, political committee or candidate for federal public office or to any governmental official, either domestic or foreign (excluding business meals, nominal entertainment, and unsolicited gifts of nominal value) since December 31, 2005? | <b>Yes</b> | <b>No</b> |
| 6. Authorized or received any reimbursement from the Company for amounts paid to any political party, candidate for public office or governmental official (excluding business meals, nominal entertainment and gifts of nominal value) since December 31, 2005?                                                                                                                                                                                | <b>Yes</b> | <b>No</b> |
| 7. Participated in or authorized any misleading or false entries in Company records, knowingly made misleading or false statements to external or internal auditors, or have knowledge of any transactions of the Company which have not been properly recorded or described in the books of account since December 31, 2005?                                                                                                                   | <b>Yes</b> | <b>No</b> |
| 8. Established or operated any unrecorded or undisclosed fund related to the Company since December 31, 2005?                                                                                                                                                                                                                                                                                                                                   | <b>Yes</b> | <b>No</b> |
| 9. Been a member of a board of an outside, for-profit organization since December 31, 2005?                                                                                                                                                                                                                                                                                                                                                     | <b>Yes</b> | <b>No</b> |
| 10. Received a loan or loan guarantee from the Company, other than a 401k loan, since December 31, 2005?                                                                                                                                                                                                                                                                                                                                        | <b>Yes</b> | <b>No</b> |
| 11. Made personal use of Company assets (equipment, computer software or services, supplies, content, etc.) that created additional, unreimbursed costs to the Company, interfered with work duties, or violated Company policy since December 31, 2005?                                                                                                                                                                                        | <b>Yes</b> | <b>No</b> |

Name (Print): \_\_\_\_\_ Name (Signature): \_\_\_\_\_

Company: \_\_\_\_\_ Date: \_\_\_\_\_

## Conflicts of Interest and Confidentiality

▶ Letter from Marshall Morton

With the exception of its employees, the Company considers its most valuable asset to be its confidential information. Confidential information includes, but is not limited to, internal and/or customer-received information relating to trade secrets, processes, data, marketing and business plans, strategies, forecasts, news, stock market information, editorials and advertising ("confidential information"). The Company desires to protect its own and its customers' confidential information. Under no circumstances should any employee divulge such confidential information prior to its publication or broadcast. If an employee is asked to reveal confidential information prior to its release to the public, he or she should report the request to management immediately.

Employees or members of their families should not:

1. Pay to/or receive anything of value from any firm or person with which the Company is doing or seeking to do business other than nominal promotional items and entertainment.
2. Have any direct or indirect financial interest in any firm or person doing or seeking to do business with the Company, or any of its subsidiaries (excluding shares listed on a national stock exchange).
3. Authorize or receive any reimbursement from Media General, or any of its subsidiaries, for amounts paid to any political party, candidate for public office or government official (excluding business meals, nominal entertainment and gifts of nominal value).
4. Participate in or authorize any misleading or false entries in the records of Media General or any of its subsidiaries or fail to disclose any transactions of the Company which have not been recorded or properly described in the books of account.
5. Establish or operate any unrecorded or undisclosed fund.
6. Accept outside or part-time jobs without approval by their immediate supervisor. Please see the Outside Employment Policy in this Handbook.
7. Enter or receive prizes from any game, puzzle or contest that appears in a Company promotion.

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**EXHIBIT 7**



# News Operational Guidelines.4

As Compiled by

Daniel J. Bradley

Vice President of News

Revised: March 2007

## GUIDELINES FOR USE OF VIDEO NEWS RELEASES (VNRs)

Media General Broadcast Group is in agreement with the Radio-Television News Directors Association that video news releases or VNR's must be labeled in a way that clearly discloses the source of the information and the viewer understands the material being broadcast was provided by an outsider. Whether a commercial company, a non-profit organization, an educational institution or a government agency sponsors them, VNR's are most often produced to elicit favorable coverage of the sponsor. Considering this inherent bias, a news manager should be notified if any portion of a VNR is scheduled for use in a local newscast. The VNR should be examined closely to assure it meets Media General's standards of journalistic integrity. A VNR should never be broadcast in its entirety without the news director's approval.

RTNDA's Code of Ethics and Professional Conduct states that professional electronic journalists should "clearly disclose the origin of information and label all material provided by outsiders." RTNDA offers the following guidelines to meet this goal.

- News managers and producers should determine if the station is able to shoot this video or capture this audio itself, or get it through regular editorial channels, such as its network feed service. If this video/audio is available in no other way but through corporate release (as in the case of proprietary assembly line video), then managers should decide what value using the video/audio brings to the newscast, and if that value outweighs the possible appearance of "product placement" or commercial interests.
- News managers and producers should clearly disclose the origin of information and label all material provided by corporate or other non-editorial sources. For example, graphics could denote "Mercy Hospital video" and the reporter or anchor script could also acknowledge it by stating, "This operating room video was provided by Mercy Hospital."
- News managers and producers should determine if interviews provided with video/audio releases follow the same standards regarding conflicts of interest as used in the newsroom. For instance, some releases might contain interviews where subjects and interviewers are employed by the same organization. Consider whether tough questions were asked and if the subject was properly questioned.
- Before re-voicing and airing stories released with all their elements and intended for that purpose, managers and producers should ask questions regarding whether the editorial process behind the story is in concert with those used in the newsroom. Some questions to ask include whether more than one side is included, if there is a financial agenda to releasing the story, and if the viewers and/or listeners would believe this is work done locally by your team.
- Producers should question the source of network feed video that appears to have come from sources other than the network's news operation. Network feed producers should supply information revealing the source of such material.

Media General Broadcast Group  
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- News managers and producers should consider how video/audio released from groups without a profit or political agenda, such as nonprofit, charitable and educational institutions, will be used in newscasts, if at all. Can this material add valuable insight to local stories? Has it been issued to be aired locally and credited to the issuing organizations. Will viewers find it to be useful information?

*Developed by the RTNDA Ethics Committee*

Generally speaking, it is Media General Broadcast Group's preference that newsrooms avoid using any VNR, in part or in whole, unless there is a compelling journalistic reason to do so. However, as noted in the above detailed guidelines, when there is a sound journalistic premise for using a VNR or portions of one, **the material must be clearly identified and labeled.**

## GUIDELINES FOR THE NEWS-SALES RELATIONSHIP AND COMMERCIAL INVENTORY & SPONSORSHIPS

The following guidelines are designed to help manage the important relationship between news and sales. **Should a situation arise that is not addressed by or is in conflict with these guidelines, the stations' managers must discuss the issue with the Sr. Vice President of Stations.** In a joint project involving NewsLab and the Committee of Concerned Journalists, a group of news and station executives from across the country developed a list of general principles outlined below. Media General has adopted these principles to help news and sales managers deal with the pressures they face. These principles should be the basis for all decisions affecting news and sales:

- News content should be determined solely through editorial judgment.
- News sponsors should not dictate or influence news content.
- News content should be clearly distinguishable from advertising content.

In general, stations should adhere to the following operational guidelines:

- Sales proposals involving new or different types of sponsorships in news programs should be reviewed by the General Manager, General Sales Manager and News Director before submission to clients or agencies.
- Proposals for news program sponsorships should be presented to clients in writing to avoid misunderstandings.
- These proposals should never include guarantees of news coverage or endorsement of products or clients by news personnel.

In addition, Media General has developed its own set of policies to help guide stations in making decisions regarding commercial inventory and sponsorships. **Should a situation arise that is not addressed by or is in conflict with these guidelines, the station's managers must discuss the issue with your VP of Stations, and the VP of News and Sales.**

- A. Spot inventory should be limited to nine (9) minutes and thirty (30) seconds of commercial messages for each 30 minutes of news programming or eleven (11) minutes and thirty (30) seconds of commercials in a 35 minute local news program. It is entirely up to the station's discretion whether any of that allotment of time is used as an internal or external commercial break. It is strongly recommended that no commercial breaks in a newscast exceed three (3) minutes in length.
- B. Billboard sponsorships for different segments of the newscast must be contracted and locked into the newscast format.
- C. MGBG approves of billboard sponsorships for the following segments:
  - Weather and Information Segments
  - Weather Cameras

- Traffic
  - Sports
  - Closed Captioning
  - Daily Stock Market or Local Business Reports
  - Other segments may be approved on request.
- D. Billboard sponsorships should not run for more than seven (7) seconds. They may include an audio announcement as well as a graphic.
- E. Because the time allocated for billboard sponsorships typically comes out of time allocated for News content, there can not be more than four (4) billboard sponsorships in a single newscast.
- F. If the billboard is unsold, Marketing can use it or the News Department can take the time back.
- G. Special events and coverage such as the Olympics, High School Football or a major local event may generate the need for an additional billboard sponsorship from time-to-time.
- H. Sponsorship of non-news programs (i.e., medical specials) should be reviewed before committing news talent as hosts or moderators to avoid the appearance of an endorsement by the news anchor.
- I. It is acceptable to sell a sponsorship for a station's Doppler radar. This sponsorship shall be limited to a graphic/logo that is included as part of the Doppler image displayed on the screen during the newscast. It is a common and acceptable practice with these sponsorships to include the name and logo of the sponsor in any Marketing/Promotion campaigns the station runs for its Doppler radar.
- J. It is acceptable to sell sponsorship for special and/or continuing coverage of events such as severe weather, hurricanes or snowstorms. This coverage can include the graphic/logo of the sponsor on pre-prepared graphics used for lower third crawls of community closings and other related information.
- K. When an advertiser or sponsor in a local newscast is the focus of a significant story in the newscast, MGBG recommends that stations' management should contact the advertisers and give them the option of pulling their commercials. The advertiser's decision or feedback can in no way influence the news department's handling of the story.

Protecting the integrity of the news product must be a priority for every television station. To attract both viewers AND advertisers, television news must be credible. Short-term sales gains should never put your station's news reputation at risk.

**EXHIBIT 8**

**From:** Martin, Jim  
**Sent:** Tuesday, November 28, 2006 6:09 PM  
**To:** WJAR Everyone DL  
**Cc:** Bradley, Daniel J.  
**Subject:** "Outside" Video Supers Policy

Our policy of supering "outside" video is the following:

In order to be transparent and consistent telling viewers the origin of "outside video" (video not shot or produced by us or other news agencies such as NewsChannel, network, other affiliates, etc). our policy for on-screen supers is as follows:

Video provided to us from any source other than one from which we make a specific request (more on that in a moment) must carry a super which reads "**Video provided by: XXXX.**" Key word is **provided** NOT **courtesy**. Examples would be stringer video, surveillance video, Coast Guard, NASA, FDA, movie clips, etc. The super must remain on screen the entire time the video appears on screen. If you believe there is the potential for a production issue which could fail to ensure that the super is correctly displayed for the entire length of time the video appears on screen you must have that segment pre-produced.

If we air video or pictures we specifically request such as a home video of a person we are profiling, a family video of kid playing little baseball we are doing a feature, etc. the super should read, "**Video courtesy of XXXXX.**" Key word **courtesy** NOT **provided**. Again, if you believe there is the potential for a production issue which could fail to ensure that the super is correctly displayed for the entire length of time the video appears on screen you must have that segment pre-produced.

If you don't know the origin of a piece of video don't air it until you do! If you have any questions please check with a manager.

Thanks!

Jim Martin  
Managing Editor  
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**EXHIBIT 9**

Last month, in a Health Check segment, the news department ran a story about a flu vaccine recently approved by the FDA. The report relied almost entirely upon information and video interviews provided by a public relations firm on behalf of the manufacturer. As a result, the story about the vaccine lacked balance and did not provide viewers with a full, or accurate picture, of certain negative aspects of the vaccine. Viewers were not told that the information in the story came from a public relations news release and that the facts contained in the report had not been verified.

NBC-10 policy prohibits the use of this type of material. The station's management has acknowledged that using these video news releases is a serious breach of journalistic ethics. It attributes the use of the news release in this case to a mixup between the material received from the public relations firm and a similar story from an NBC news service which did provide a more balanced story about the vaccine.

The station has established a news room task force to reinforce safety nets already in place and to prevent the future use of this type of material. Viewers have a right to balanced news, not public relations, especially when it involves health care. I'm Paul Giacobbe

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