

**KWBQ-TV/KASY-TV  
POLITICAL DISCLOSURE  
AND  
RATE CARD  
Revised: 6.25.13**

**13 Broadcast Plaza  
Albuquerque, NM 87104**

**I. CLASSES OF TIME**

A. The station sells five classes of time. They are:

1. Section I - Fixed/non-preemptible. Will air, as cleared, subject only to technical failure, human error, late-run programming, breaking news events, and similar occurrences. Station does reserve the right to recapture fixed time in order to fulfill legal equal time obligations.
2. Section II - Preemptible with 72 hours notice. May only be preempted by spot purchased at Section I level. Once deadline has passed, spots will air, as cleared, subject to technical failure, human error, late-run programming, breaking news events, and similar occurrences. Make-goods will be offered for preempted spots of this class (see Paragraph V, below).
3. Section III - Preemptible with 48 hours notice. May only be preempted by spots purchased at Section I or II levels. Once deadline has passed, spots will air, as cleared, subject to technical failure, program change, etc. Make-goods will be offered for preempted spots of this class (see Paragraph V, below).
4. Section IV - Preemptible with 24 hours notice. May only be preempted by spots purchased at Section I, II, or III levels. Once deadline has passed, spots will air, as cleared, subject to technical failure, program change, etc. Make-goods will be offered for preempted spots of this class (see Paragraph V, below).
5. Section V - Immediately preemptible without notice. May only be preempted by spots purchased at Section I, II, III, or IV levels. We endeavor to offer make-goods for preempted spots of this class of time, but no make-good is guaranteed. IF ANY ORDERED SPOTS ARE NOT AIRED, THE

ADVERTISER WILL RECEIVE A CREDIT IF THE SPOT IS NOT OTHERWISE MADE GOOD. NO MAKE-GOODS ARE GUARANTEED FOR PREEMPTED SPOTS OF THIS CLASS (see Paragraph V, below).

- B. During lowest unit charge periods, political advertisers buying time at the rates shown on the rate card will receive the highest degree of preemption protection afforded to any advertiser purchasing time in the same class.
- C. The basic periods (programs and rotations) for which the station sells time are shown on the attached rate card, together with the station's current 30 second rates for those periods. The current 30 second rates listed on the rate card reflect all volume and other discount privileges available to commercial advertisers on the station.
- D. Rotations other than those shown on the attached rate card are available on request. Please contact the station for information.
- E. It is not the Station's practice to guarantee rating point delivery for an advertiser. However, from time to time we do have advertisers who choose to negotiate ratings delivery. In some instances, should overall actual delivery fall below 90% of the agreed upon estimated delivery, we may air additional spots to adjust to a mutually agreed upon level. To qualify for consideration, rating delivery must be agreed upon, in writing, in advance of the schedule. Our normal procedure is to require an advertiser to furnish a copy of a post analysis done by an acceptable method (i.e., Donovan, BMP, TVScan, etc.) and based on the Nielsen rating book for the quarter in which the schedule ran. This post is done on the entire schedule and not a particular daypart. Additional spots, if agreed to, are aired only if unsold time is available. If advertisers are not able to take advantage of this, we do not make other adjustments.
- F. If the station offers merchandise or other non-cash incentives to commercial advertisers who purchase time in specified programs or quantities, the station will make non-cash incentives having more than a the minimums value available to political advertisers on the same terms on which they are offered to commercial advertisers. Please contact the station for information.
- G. The station will make program-length time available to candidates for federal offices (but not to state or local candidates). Requests

for such time will be considered on a case-by-case basis. Contact the station for information and rates.

- H. Pricing for 10 second spots are 50% of 30 second rates, 15 second spots are 65% of 30 second rates (rounded up to the next closest \$5.00 increment. 60 second spots are double the 30 second rates.

## **II. ELIGIBILITY FOR LOWEST UNIT CHARGE**

The station will provide its lowest unit rate to legally qualified candidates and their authorized committees for candidate-authorized uses in the pre-election period 45 days before a primary election and 60 days before a general or special election.

A federal candidate is only eligible to receive the station's lowest unit rate if the candidate, or the candidate's authorized committee, provides a certification that he or she will not make a direct reference in a spot to another candidate for the same office unless the spot complies with enhanced Bipartisan Campaign Reform Act ("BCRA") disclosure requirements. To satisfy the enhanced BCRA disclosure requirements, the end of the spot must contain both a clearly identifiable photographic or similar image of the candidate and a clearly readable printed statement that identifies the candidate and states that the candidate has approved the spot and that the candidate's authorized committee paid for the spot. If a federal candidate has either not provided the required certification or does not comply with its terms, he or she is not entitled to receive the station's lowest unit rate for the remainder of the time leading up to the election for that office.

## **III. AVAILABILITIES**

- A. The station will provide written availabilities to candidates in response to time requests. At the time it provides availabilities, it will also provide its good faith estimates, based on facts known at that time, of:
- the likelihood that time of each requested class will clear in an advertiser's requested time period;
  - the lowest unit charge for time of each requested class in the requested time period; and
  - the station's then-current "street rate" for time in the requested time period.

- B. All orders are subject to availability of the requested time. Requests for time in particular periods will not be confirmed until all spots have been cleared and scheduled. The station does not afford “product protection” to any advertiser. Thus, where scheduling so dictates, candidates’ spots may be aired “back-to-back” with their opponents’ spots.
- C. Outside of lowest unit charge periods, Candidates purchasing time at the rates shown on the rate card will receive as much protection provided to any advertiser purchasing time of the class purchased. (See Paragraph I.B.)

#### **IV. REBATES**

If a spot of the same class and length as a candidate’s spot actually clears in the same time period at a lower rate, the station will rebate the difference in rates to the candidate. The station plans to review its records and to send candidates rebates, if warranted, on a weekly basis. Candidates will be given the option of taking a credit against future time purchases in lieu of a cash rebate.

#### **V. MAKEGOODS**

If a candidate’s spot of any class other than Section 5 is preempted or fails to run as scheduled for technical or similar reasons, the station will offer the candidate a make-good to be broadcast before the election based on time being available. Makegoods will consist of one or more spots with an aggregate value comparable to that of the preempted spot. In some cases, the offered makegoods will consist of a combination of spots in time periods other than that originally ordered. If a candidate rejects the offered makegoods, the station will provide credit or refunds for the preempted spots.

Preempted Section 5 spots will be rescheduled and cleared when, as, and if further time is available within the flight dates specified by the advertiser. If all ordered spots are not broadcast within the specified flight dates, the advertiser will receive a credit against future purchases or a cash rebate, at its option.

#### **VI. AVAILABILITY LIMITED TO “USES”**

The station sells political advertising time for “uses” by legally qualified candidates for public office. These policies are not applicable to purchases by candidates or others for non-“uses” (e.g., spots where the candidate’s voice or picture does not appear), to purchases by political action committees, or to purchases for issue advertising or advertising directed at ballot propositions.

#### **VII. ORDER PROCEDURES**

Orders for political time will not be considered “firm” until the station has received the following:

- A. A completed and signed political contract form;
- B. Where applicable, a list of members of the executive committee or board of directors of any corporation, committee, association or other group purchasing time;
- C. Proof satisfactory to the station that the purchaser is authorized to buy time for the candidate, and that the candidate is legally qualified;
- D. Advance payment for the ordered time.

### **VIII. ADVANCE PAYMENT REQUIREMENTS**

Unless a candidate qualifies for credit (see below), payment for political advertising must be received by the station not less than one week before the first spot in a flight is scheduled to run. For multi-week flights, the station will require payment for only one week of the flight at a time. However, it will not clear and confirm spots in later weeks of the flight until it receives payment for them. Payment must be made in cash, by certified check, or by money order.

The one week advance payment requirement will not apply to orders placed on or after the Tuesday before the election. However, no political advertisement will, under any circumstances, be aired before payment has been received, or acceptable credit arrangements have been made, for all applicable time charges.

The station will evaluate requests from candidates for credit on the same basis as it uses to evaluate such requests from similarly-situated commercial advertisers. In addition, if the candidate’s advertising agency accepts full responsibility for payment of time charges in writing and qualifies for credit under the standards used by the station to evaluate credit requests from commercial advertisers’ advertising agencies, the station will extend credit to the candidate’s agency. Please contact the station for information.

### **IX. TAPE SPECIFICATIONS**

Tapes of political advertisements should ordinarily be submitted to the station not less than 48 hours before the advertisement’s first scheduled air date. Written instructions for airing should accompany the tape. The station will accept changes in airing instructions only if they are in writing and are sent to the station not less than 48 hours before the affected spots are scheduled to air. The station will make every effort to effect changes as quickly as possible with no more than

a 24-hour delay. The weekend prior to the election will be exempt from the 24-hour delay possibility.

To be compatible with the station's equipment, please send Beta tapes or send via VYVX, DG, Pathfire, fast channel or Media DVX.

## **X. PRE-BROADCAST REVIEW**

The station will review all political advertisements to determine whether they are "uses", whether they carry proper sponsorship identification, and whether they conform to the agreed-upon length and to the station's and FCC's technical standards. Advertisements that are not "uses" or that do not conform to length specifications or to technical standards will be rejected.

## **XI. SPONSORSHIP IDENTIFICATION**

All political advertisements must contain sponsorship identification that complies with Section 73.1212 of the FCC's rules and with applicable federal and state laws.

Section 73.1212 requires political spots to contain visual sponsorship identification in letters not less than 4% of total picture height broadcast for not less than four seconds. The station will add the required sponsorship identification to any spots not containing it and will charge candidates for production costs in doing so on the same basis as would be applicable to commercial advertisers.

Federal Election Commission rules require that a spot authorized by a federal candidate or the candidate's committee include a statement that identifies the candidate and states that he or she has approved the communication. The federal candidate must convey the statement either through an unobscured, full-screen view of the candidate making the statement or through a voice-over by the candidate, accompanied by a clearly identifiable photographic or similar image of the candidate, which must be at least 80% of the vertical screen height. The end of the spot must include a similar statement in writing. The written statement must appear in letters no smaller than 4% of the vertical picture height and must remain on screen for a period of at least four seconds. The written statement should also state the name of the person or entity that sponsored or paid for the spot.

**THE STATION WILL NOT ADD TIME TO THE LENGTH OF A SPOT TO ACCOMMODATE SPONSORSHIP IDENTIFICATION.**

## **XII. PRODUCTION**

The station will make production facilities available for political advertisements and programs. Production charges are handled separately from time charges. Contact the station for information and rates.

### **XIII. WEEKEND ACCESS**

The station will permit federal candidates (but not state and local candidates) to place time orders and change or edit copy outside of regular business hours on the weekend before the election. Contact the station for more specifics.

### **XIV. CANCELLATION**

An advertiser who has paid in advance for a flight of advertisements may cancel that flight, or part thereof, **[5]** or more days before the first spot is scheduled to run for a full refund or credit. Any advertiser who cancels less than **[5]** but more than **[2]** days before the first spot is scheduled to run will receive a refund or credit for 50% of the amount paid for the cancelled spots. Any advertiser who cancels **[2]** or fewer days before the first spot is scheduled to run will receive no refund or credit for the cancelled spots.

### **XV. LOG DEADLINES AND COPY (all Mountain time)**

<b>Day:</b>	<b>Log Run:</b>	<b>Copy/Order Cut-Off</b>
<b>Monday</b>	<b>Tuesday</b>	<b>1PM</b>
<b>Tuesday</b>	<b>Wednesday</b>	<b>1PM</b>
<b>Wednesday</b>	<b>Thursday</b>	<b>1PM</b>
<b>Thursday</b>	<b>Friday</b>	<b>1PM</b>
	<b>Saturday</b>	<b>3PM</b>
<b>Friday</b>	<b>Sunday</b>	<b>9:30AM</b>
	<b>Monday</b>	<b>12:30PM</b>

All inquiries relating to political advertising on KWBQ-TV or KASY-TV should be directed to:

**Jim Ottolin**  
**Arecely Atayde, Sales Assistant**  
**Pat Gonzales, Traffic Manager**

KWBQ | KASY