



## **Political Advertising Disclosure Statement**

**SMG Monterey, LLC**

**KCDU, KKHK, KHIP, KPIG, KWAV**

**Effective 1/20/2024**

The following practices apply to purchases of advertising time on radio stations for any “use” by legally qualified candidates for public office (i.e., any positive appearance of a candidate airing for four seconds or more, whose voice is either identified or is readily identifiable). In order to qualify for this treatment, candidates or their representatives may be asked to demonstrate that they are legally qualified. This Disclosure Statement is provided for general information as required by the rules and regulations of the Federal Communications Commission (“FCC”), and is not intended to be a part of any advertising sales contract, which is governed by applicable law and its own terms. Practices described herein are subject to change at the Station’s discretion, to the extent permitted by law.

Legally qualified federal candidates are entitled to purchase time on the Station during their election campaigns. The Station will consider all requests for such time and will make reasonable accommodations to meet such requests. Although a federal candidate has the right to “reasonable access” to the facilities of the Station for the airing of political advertisements, the Station generally retains the right to limit the amount of time sold to a candidate and has ultimate discretion with respect to the specific placement of political advertisements. The Station will grant access to specified state and local candidates based, in the Station’s sole discretion, on the public interest in the election and station inventory. For a determination as to whether the Station will make time available for sale for certain local or state races, see Station Contact below.

During the 45 days preceding a primary election and the 60 days before a general election, the Station charges candidates in the respective elections the “lowest unit charge” for an advertisement if the advertisement constitutes a “use” of the Station’s facilities, as defined by the FCC. During any time outside of the 45-day and 60-day periods, the charges for candidate-purchased advertisements constituting a “use” are set so as to be no higher than those normally charged other advertisers for comparable use of the Station’s facilities. Any political advertisement that is not a “use,” including any advertisement purchased by a non-candidate or any advertisement dealing with non-candidate ballot issues, is sold at prevailing commercial rates. If a political advertisement constitutes a “use,” the Station will provide opposing candidates with “equal opportunities,” as established by federal law, to “use” the facilities of the Station. No federal candidate will be entitled to receive the Station’s lowest unit charge unless the candidate provides the Station with a certification that the candidate will not make any direct

reference to another candidate for the same office in any broadcast unless the broadcast complies with §315(b)(2)(D) of the Communications Act, as amended by the Bipartisan Campaign Reform Act of 2002.

**The terms and conditions applicable to political advertising on the Station are as follows:**

**1. Rates.** The Station sells 30-second and 60-second spots from 6 AM to 7 PM as reflected on the attached rate card. Most rates for both commercial and political advertising time sold on the Station are arrived at on an individually negotiated basis. Negotiated buys may, for example, include spots in a number of different rotations or dayparts and combinations of different classes of spots. Rates for most classes of time vary on a [daily/weekly] basis, based on supply and demand. The classes of advertising time offered to political advertisers are:

a. Preemptible Spots Aired During Specific Rotations –Lower priority 5-80%

b. Non Preemptible Spots Aired During Specific Rotations-Highest priority 81-100%

**2. Sponsorship Identification.** All ads must comply with the sponsorship identification requirements of § 317 of the Communications Act and § 73.1212 of the FEC's rules. The Station reserves the right to insert such sponsorship identification into any advertisement that fails to include the requisite identification even if the insertion of the identification causes a portion of the advertisement to be deleted. For a federal candidate to receive the lowest unit charge for the class of time purchased, all ads that refer to opposing candidates must contain a statement that is read by the candidate which identifies the candidate and office the candidate is seeking, and states that the candidate approved the broadcast,

**3. Credit.** Cash at least three businesses days in advance is required unless the order is being placed by an agent or other entity with a proven credit history with the Station [Station must have same policy for non-political advertisers]. This agent or entity must accept full responsibility for all air time and production charges.

**4. Political Agreement.** A completed Agreement Form for Political Broadcasts (Form PB-19, or its equivalent) must accompany any time order.

**5. Proof of Candidacy.** The Station, at its option, may require the candidate to produce proof that they are legally qualified candidate.

**6. Notice and Weekend Access.** Orders must be placed at least three business days in advance of start. Copy changes or cancellations require two business day's notice. Tapes and written instructions must be delivered to the Station in advance of the scheduled air date. Deadlines for contract changes and commercial materials are:

11am Thursday for Monday's Log 11am Tuesday for Thursday's Log

11am Friday for Tuesday's Log 11am Wednesday for Friday's Log

11am Monday for Wednesday's Log

**7. Production Facilities.** The Station's production facilities will be available to produce commercials for political advertisers on the same terms as provided to commercial advertisers. On-air personalities may not voice political spots.

**8. Schedules.** Although the rates charged by the Station are based upon the use of 30-second and 60-second spots, the Station will also try to accommodate requests for advertisements of non-standard lengths for federal candidates.

**9. Make Good Policy.** In the event of a missed spot, the Station will make good in the same daypart within 3 days. If time prohibits making the spot good (e.g., missed on last day before election) the Station will refund the cost of the missed spot to the purchasing entity within 10 working days.

**10. Election Day Orders.** Political advertising will be accepted for broadcast on election day, depending on available inventory.

**11. Rebates.** If a new lowest unit charge is established after a political advertiser's purchase has been made or run, the Station will rebate the overcharge to the political advertiser within 10 working days or will credit the overcharge to the candidate's future time purchases, as the candidate directs.

**12. Online FCC Public Inspection File (Political File).** The rules and regulations of the FCC require that each station maintain a complete record of all requests for broadcast time made by or on behalf of a candidate for public office, together with an appropriate notation showing the disposition made by the licensee of the requests, including whether such requests were granted and the amount charged. The disposition also includes the schedule of time purchased when the spots aired, the rates charged, and the classes of time purchased. Whenever free time is provided to a candidate, a record of the free time provided is uploaded into the online FCC public inspection file. This information is retained in the Station's public inspection file for two years.

**13. Station Contact.** Any of the Station's personnel will take questions and messages from candidates and their representatives, but, in order to provide maximum service to candidates and their representatives, the Station seeks to provide services through the Market Manager at the Station. At the Station, actual time buys and responses to questions will be overseen by Jodi Morgan who can be reached at (831)658-5269.