

KSTU-TV

2012 POLITICAL DISCLOSURE STATEMENT

SUMMARY:

KSTU Fox 13

5020 Amelia Earhart Dr

Salt Lake City, UT 84116

Main: 801-532-1300

Fax: 801-536-1334

Office Hours: 830am to 530pm

2010 Political Windows:

STATE	POLITICAL WINDOW	ELECTION
Primary, UTAH:	5/12-6/25, 2012	6/26
Primary, IDAHO:	3/31-5/14, 2012	5/15
Primary, NEVADA:	12/3-1/16, 2012	1/17
Primary, WYOMING:	6/23-8/6, 2012	8/7
General Election:	9/8-11/5, 2012	11/6

KSTU Political Contact Information:

Timo Saarelainen/General Sales Manager	801-536-1333	cell 801-694-1371
Kent Carbon/National Sales Manager	801-536-1338	cell 801-450-6317

All political advertising is CASH IN ADVANCE.

APPLICABILITY

KSTU's practices apply **only** to purchases of advertising time for "use" by legally qualified candidates for public office or their authorized campaign organizations. A political advertisement or program involves a "use" if it includes the recognizable voice and image of the candidate.

They are **not** applicable:

- to purchases by candidates or others for non-"uses";
- to political action committees or political parties that are not authorized by the candidate;
- for third-party endorsements; or
- for non-candidate "issue" advertising or advertising directed at ballot propositions.

KSTU will ask candidates or their representative(s) to demonstrate that the candidate is "legally qualified" to ascertain that he or she qualifies for this treatment. KSTU also requires satisfactory proof that the purchaser is authorized to buy time for the candidate.

KSTU provides this Disclosure Statement for general information and does not intend it 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 KSTU's discretion, within permissible legal parameters. Subsequent disclosure statements will address any changes in KSTU's political sales procedures.

ACCESS

KSTU will afford reasonable access to its facilities to legally qualified candidates for federal office by permitting the purchase of commercial time by candidates and/or their authorized representative(s). KSTU reserves the right not to sell political advertising on election days, because it may not be possible to satisfy equal opportunities requests under those circumstances.

Legally qualified federal candidates may purchase advertising in all available programming, from all classes of time, as set forth on the attached rate card. KSTU will accept political advertising within and adjacent to regularly scheduled news programming; however, news sponsorships are *not available* to any political candidate.

Consistent with applicable law, KSTU reserves the right to determine to which, if any, non-federal races it will offer to sell advertising time, how much time it will sell, and during which programs and dayparts time will be sold. KSTU's political sales representative(s) can advise as to current station practices in this regard at any particular time.

IDENTIFICATION

All political commercials must contain sponsorship identification that meets Federal Communications Commission standards. If the sponsor is unwilling or unable to correct the commercial, or time does not permit, KSTU may add appropriate ID and charge its production costs to the sponsor.

ORDERS

Orders for political time will not be confirmed until the following have been provided:

- Certified funds at the station in the amount of the order
- All associated paperwork, including a political advertising contract form listing the sponsoring organization's officers and directors, should be completed and returned to KSTU at least 5 business days before any political schedule may commence. KSTU prefers the use of NAB Form PB-17 or later; copies are available from the station upon request.
- the issue to which the request/order applies if it is issue advertising, or the candidate and federal office to which the request/order applies if it is political advertising;
- the class of time that is being purchased; and
- the identity of the purchaser of the time. In the case of issue advertising, this includes the name, address and phone number of a contact person for the purchaser and a list of the members of the executive committee or the board of directors of the purchaser. In the case of political advertising, this includes the name of the candidate's authorized committee and the name of the committee's treasurer. When the purchase is made by a corporation, committee, association, or other unincorporated group, a list of the entity's chief executive committee or board of directors must be furnished to KSTU.

No new orders, political or commercial, are accepted outside of regular business hours, Monday through Friday, 8 AM through 5 PM. The Station will *endeavor* to accommodate all changes in orders or facilities as early as possible; however, we cannot guarantee that last minute changes will be made. We can complete all changes until 3:00pm for the next day's business (Thursday 3:00pm for Friday and Saturday; Friday 3:00pm for Sunday and Monday).

KSTU requires cash in advance (in the form of cash, wire payment, or guaranteed check) at least 3 business days, in advance for all political orders. Please contact KSTU for additional information.

Advertisers must submit new copy and/or copy changes to KSTU at least 1 business day prior to commencement of the schedule. All instructions for airing of facilities MUST be in writing. Changes to these instructions MUST be in writing to KSTU (by letter, FAX, or e-mail) prior to the changes being made. KSTU will not make any traffic or schedule changes unless it's done in writing.

KSTU reserves the right to recapture spot time sold to a candidate to meet equal opportunities or reasonable access requirements of the Communications Act of 1934, as amended. If spot time is recaptured by the KSTU, the candidate will be advised as soon as practicable and an appropriate refund will be issued.

AVAILABILITIES

Legally qualified candidates may purchase time from KSTU subject to availabilities.

All rates quoted are for 30-second commercials. KSTU's political sales representative(s) will quote rates for spots of other lengths to legally qualified candidates for public office and their representative(s) on request.

Candidates should be aware that orders for the purchase of time made after 12:00 noon on the Thursday preceding Election Day may not be filled due to lack of availabilities. The earlier an order is placed, the greater the scheduling options will be.

KSTU will attempt to satisfy the requests of all opposing legally qualified candidates for comparable time. As a result, certain time periods may be unavailable for other candidates in the same or other political races.

Requests for programming avails from legally qualified Federal candidates will be considered on an individual basis. No promotional announcements will be scheduled to promote political programs.

RATES

In adherence with the Communications Act, KSTU will offer the LUR (lowest unit rate) within every class of available time to political candidates. KSTU's rates for commercial time change in response to market conditions, sometimes as frequently as day to day. Revised rates are made available upon request. KSTU's political sales representative(s) can provide planning rates in advance of political rate periods on request.

KSTU negotiates rates on an individual basis with all of its advertisers. Depending upon their needs and Station availabilities, Station's political sales representative(s) can develop rates and packages for each political advertiser. Subject to the limitations discussed above, KSTU will offer the benefit of the lowest negotiated rates in each class of time, program, time period, daypart, and/or rotation to legally-qualified political candidates and their representative(s) during the 45 days prior to primary elections and the 60 days prior to general elections. During this time, it is our intent that no commercial advertiser will be charged less than the rates charged to political advertisers for the same rotation, time period, or program within each specific class of time, as the case may be. Projected rates quoted by KSTU's political sales representative(s) to candidates and their representative(s) reflect the value of any and all discounts that may be offered to commercial advertisers. If the Station subsequently determines that a commercial advertiser paid a lower rate than a candidate for the same rotation, time period, or program within a specific class of time, KSTU will offer a make-good spot, rebate, or credit in the amount of the difference to the candidate as soon as practicably possible after this is discovered.

For the most part, the commercial availabilities KSTU sells to commercial advertisers are preemptible (i.e., may not be broadcast, at Station's sole discretion). Rates for flights booked in advance are subject to change as frequently as daily, and, should rates increase, spots ordered may be preempted before broadcast. Except in the case of broad rotations, whenever possible, KSTU's political sales representative(s) endeavor to notify advertisers in advance of rate increases and afford them an opportunity to pay the higher, current rate or be preempted, with a make-good spot or credit.

When spots are preempted, Station endeavors to offer comparable (i.e., similar audience delivery, but not necessarily in the same time period or week) make-good spots, inventory permitting. However, Station does not guarantee to air time-sensitive make goods for preempted spots to any advertiser, political or commercial. Political sales representative(s) will advise as to the current likelihood of preemptions during any given program or time period.

KSTU defines its classes of time as follows:

Level 1 – Low or no preemptions –spots will clear, typically at 90% or better, absent unforeseen circumstances, such as technical difficulties or program changes. Because KSTU has a limited

number of commercial avails, even Level 1 time may be sold out. In this case, KSTU will endeavor to locate a comparable area for placement of a candidate's time.

Level 2 - Pre-emptible with Notice - These spots **may** be preempted in favor of other advertisements with notice to advertiser. We believe, in our best good faith assessment, that advertisements purchased at this rate level have a 70% or better chance of airing, and must be purchased *more than 72* hours before they are to air.

Level 3 - Immediately Pre-emptible with No Notice - These spots **may** be preempted in favor of other advertisements with no guarantee of advance notice to the advertiser. We believe, in our best good faith assessment, that advertisements purchased at this rate level have a less than 50% chance of airing.

Other Classes - The Station also offers *Immediately Preemptible with No Notice or Makegood* and *Direct Response* classes of time and broad rotators, or ROS, upon request. Direct Response advertisements, which offer a product or service, and are scheduled to air at the Station' discretion within wide rotations as negotiated with the advertiser. Consistent with applicable law, KSTU does not offer Direct Response advertising to political candidates.

Outside of the 45- and 60-day pre-election periods described above, KSTU sells commercial time to legally qualified candidates for public office at rates comparable to those at which it sells time to commercial advertisers. All other terms of sale are as described herein.

REBATES

In the event advertising time is sold for a particular class and for a particular time period, and is broadcast at rates lower than the rate paid by the candidate for the same amount of time in the same class and same time period, the candidate will be afforded the benefit of the lower rate, with either a rebate or as a credit against future purchases, at the candidate's option.

MAKEGOODS

KSTU will use their best efforts to provide "makegood" spots prior to the election for candidate "use" spots that are preempted by other spots or due to technical problems in accordance with the class of time purchased (see above). Although the Station's policy is to endeavor to offer all candidates makegoods before the election, we cannot guarantee to any advertiser that the makegoods can be provided in the specific program, time period, or rotation originally ordered. If inventory constraints preclude such identical scheduling, the Station will offer makegoods of equivalent value. If these are not acceptable to the advertiser, KSTU will provide credits or refunds for preempted spots.

On occasion, KSTU negotiates a commercial schedule including a mutually agreed-upon percentage of total rating points. Should KSTU fail to meet the agreed-upon rating point percentage, KSTU affords make-good spots for audience deficiency based on available inventory, but such make-good spots are neither necessarily in the same programs or dayparts, nor on a time-sensitive basis. If political candidates are interested in discussing an audience guarantee, it is recommended that they contact KSTU directly.

PACKAGES

KSTU often negotiates "packages" of spots in various dayparts. These packages are negotiated individually, depending upon the advertisers' requirements. Political advertisers receive the benefit of such negotiated package rates on a per-spot basis.

PUBLIC FILE

KSTU's public file will be available for inspection during the Station' normal business hours (Monday through Friday 8:30 a.m.-5:00 p.m.). All requests to inspect the information contained in these files must be made in person. Copies of information contained in these files can be made for a nominal fee.

ACKNOWLEDGEMENT

Advertiser has been advised that a variety of classes of time (preemptible and non-preemptible) and package options are available to advertisers at a variety of rates, and the purchaser has been furnished with all requested information concerning rates, discounts, preemptibility, clearance package plans, and opportunities for negotiation.

Printed Name of Candidate

Printed Title of Office Candidate is seeking

How disclosure made available to Candidate (fax, mail, in person, e-mail, etc.)

Phone Number of Candidate

Fax Number of Candidate