



**KTBS/KPXJ**  
**Political Advertising Time Policies**  
**(February 1, 2012)**

The following sets forth the policies and practices of KTBS/KPXJ (the "Stations"), regarding the sale of time to political candidates. It is intended for the sole purpose of complying with the rules of the Federal Communications Commission, and is not a contract for the sale of advertising time.

1. **Applicability:** These policies apply only to legally qualified candidates for federal public office, or their authorized campaign organizations, to promote their candidacy. They are not applicable to political action committees or non-candidate issue advertising.
2. **Access:** Reasonable access will be provided to all legally qualified federal candidates before primary and general elections. While candidates may request specific programming and the station will negotiate specific requests, the Station reserves the right to determine the amount of time and program availability to particular candidates.
3. **Identification:** Each political advertising spot must explicitly state that it was "paid for" or "sponsored by" the entity purchasing the time, as well as indicate whether the ad was or was not authorized by a candidate/committee. All political spots also must contain a visual sponsorship identification in letters equal to at least 4% of the screen height and which are on the air for at least four seconds. The FCC has determined 4% to be equal to 20 scan lines. None of the words in the ID may be abbreviated and the words must be set against a background that does not obscure the message. Political spots purchased by a specific candidate/campaign or on behalf of a specific candidate receiving the "lowest unit charge" (the "LUC") rate must also identify the candidate in one of two ways: i) video of the candidate (80% of the screen) making the spoken identification, or ii) a candidate voice-over accompanied by a clearly identifiable image of the candidate. Ads must be submitted to the Station prior to broadcast for screening purposes to determine compliance with this requirement. Station reserves the right to add or alter identification, if in its sole judgment, the ad does not comply with the identification requirement.
4. **Orders:** Orders for political time will not be considered for clearance until the following have been provided.
  - a) Completed and signed Agreement Form for Political Candidates.
  - b) Net cash-in-advance payment.



- c) Where the purchase is made by a corporation, committee, association or other group, a list of the entity's chief executive committee or board of directors.
- d) Where doubt exists, satisfactory proof that the candidate is "legally qualified", as that term is defined by the FCC.
- e) Where doubt exists, satisfactory proof that the purchaser is authorized to buy time for the candidate.
- f) Advance orders for schedules of political advertising will be subject to reconfirmation 30 days preceding start of schedule.
- g) Digital video files, along with written instructions for their use, should be submitted to the station as soon as possible to insure proper placement. Changes to instructions should be in writing to the station (by letter, fax or email) prior to expected change. Digital files must be received in accessible format and in sufficient time to permit Station confirmation of compliance with sponsorship identification requirements and with broadcast technical standards.
- h) Deadlines for all commercial material, time orders, and contract changes are as follows (the station does not maintain staff on weekend prior to the election):

2pm Friday	Sunday Log
2pm Friday	Monday Log
2pm Monday	Tuesday Log
2pm Tuesday	Wednesday Log
2pm Wednesday	Thursday Log
2pm Thursday	Friday Log
2pm Thursday	Saturday Log

- i) Confirmation of broadcast or changes to schedules as ordered will be sent to the political advertiser, and placed in the Station's Public Inspection File in a reasonable period of time, and will be available for inspection as outlined by the Station.
5. **Production:** Station facilities may be utilized for the production of political announcements or programs, subject to available production time. A production rate card is available upon request. Production charges are handled separately from time charges. Organizations and/or candidates who schedule production time with the Station are required to provide a check for the payment of accrued charges following the production session. No spots will air, nor will any dubs be produced, until a check is received for the correct amount. No station news talent is available for political advertising purposes.

**6. Availabilities:**

- a) Legally qualified candidates may purchase time on the basis of any class set forth on the attached chart, subject to availabilities. The base availability is a 30 second ad. Ad time is available in other lengths (10, 15, 60, 90 and 120 seconds).
- b) Candidates should be aware that, unless a contrary result is demanded by statutory requirements, orders for the purchase of time made after 2pm on the Thursday preceding Primary Day or Election Day may not be filled due to lack of availabilities. The earlier an order is placed, the greater the scheduling option will be. KTBS-TV/KPXJ(DT) reserves the right to accept advertising beyond normal deadlines and will advise legally qualified candidates when those changes occur.
- c) The Station will place all orders as to day and time, subject to availabilities. Due to potential "equal opportunities" obligations for opposing candidates, certain time periods may be unavailable for candidates in other races.
- d) Request for program time, including lengths of 30 and 60 minutes, will be considered on an individual basis. No promotional announcements will be scheduled to promote political programs unless purchased separately by candidate.

**7. Rates:**

- a) Rates fluctuate on a weekly basis according to class of time ordered. Quoted rates from availability requests are for 30 second ads. Rates for other lengths will be quoted upon request.
- b) Candidates may purchase spots in any of the classes of time offered by the Station. During the primary/election period, candidates are entitled to receive all discount privileges otherwise offered to commercial advertisers and are to be placed on par with the most favored commercial advertisers of the station. Thus, eligible candidates will be charged the LUC equal to the lowest clearing rate of the particular class of time for the class of time selected for the spots to be broadcast within 45 days prior to a primary election, and within 60 days of the general election. The Station will provide its best, good faith estimate of the LUC for each class upon request.
- c) The Station reserves the right to designate the rates at which preemption will occur. The Station will provide its best, good faith estimate of the likelihood of preemptions at specified rate levels upon request. Candidates or their respective representatives must utilize rates designated on station rate card for class of time to be utilized by the candidate.



- d) During the time period outside of the 45 and 60 day pre-election windows, legally qualified candidates may purchase advertising time at the then-current effective selling rate for the class of time desired, subject to availability and preemption.
8. **Rebates:** In the event a particular class of advertising time for a specified time period is broadcast during the 45 and 60 day pre-election window, reflecting a rate lower than the rate paid by the candidate for the same class of time and time period, the candidate will be afforded the benefit and choice of the lower rate, either by way of timely rebate or as a credit against future purchases, net of agency commission.
9. **Makegoods:** The Station will use its best efforts to provide makegood spots prior to the election for candidate "use" spots that are preempted due to technical problems or because of the nature of the time purchased. Although the Station's policy is to offer all candidates makegoods before the election, it cannot guarantee to any advertiser that the makegoods can be provided in the 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, the Station will provide credits or refunds of preempted spots.
10. **Packages:** Combinations of classes are available. Each ad ordered will reflect the appropriate class of time for the lowest unit charge purposes. The Station will allocate rates for each ad in the package for each class. Packages and volume discounts outside of the 45 and 60 day pre-election windows are negotiable. Packages shall be made available upon request.
11. **Value Added Features:** If scheduled during the 45 and 60 day pre-election window, candidates may purchase value-added elements in conjunction with airtime, including, but not limited to project or program sponsorships (excluding news time periods and updates).
12. **Rotations:** Ads may be purchased individually or in designated rotations among several designated days or time periods.
13. **Underdelivery:** It is not the Station's policy to guarantee rating point or demographic target delivery on any particular program or combination of programs for any advertiser. Should cumulative actual delivery for an entire schedule of advertising for a particular advertiser reflect a level below 90% of pre-negotiated gross household rating point or demographic target level, the Station will occasionally air additional spots at no additional charge to adjust the actual delivery to the 90% level. To determine "actual delivery" advertisers must furnish a copy of a post-broadcast quantitative analysis prepared on the entire advertising schedule using the Donovan, BMP, TV Scan, One Domain, Wide Orbit or AdConnection methodology and based upon the Nielsen rating analysis for the calendar quarter in which the advertising schedule ran. Makegood spots, if necessary, normally will be aired on a Run of Schedule basis at the Station's discretion as immediately preemptible spots in the two quarters following the quarter in which the



political advertising ran. No other adjustments are available, including cash rebates. Given election timetables, it is normally not feasible for candidates to obtain this type of adjustment.

#### 14. Classes of Times:

Political, Non-Preemptible (Priority Code 0): Political Ads scheduled to air in a particular program at a precise time, break, or position of the break. These ads may not be preempted in favor of any other ad, and will air as scheduled absent unforeseen program changes or technical difficulties.

Fixed, Non-Preemptible (Priority Code 1): Ads scheduled to air in a particular program at a precise time, break or position of the break. These ads may not be preempted in favor of any other ad **with the exception of a Political Non- Preemptible ad**, and will air as scheduled absent unforeseen program changes or technical difficulties.

Non-Preemptible (Priority Code 2): Ads scheduled to air at the Station's discretion in the particular program, time period or daypart specified by the advertiser. These ads may not be preempted in favor of any other ad with the exception of a Fixed Non-Preemptible or Political, Non-Preemptible Ad, and will air as scheduled absent unforeseen program changes or technical difficulties.

Preemptible With Notice (Priority Code 3): Ads scheduled to air at the Station's discretion in the particular program, time period or daypart specified by the advertiser. These ads may be preempted in favor of other ads upon 2 business days prior notice to the advertiser. The station will give its best, good faith assessment of the likelihood of preemption at the time of the request for any particular rate level requested.

Immediately Preemptible (Priority Code 4): Ads scheduled to air at the Station's discretion in the particular program, time period or daypart specified by the advertiser. These ads may be preempted in favor of Political, Non Preemptible, Fixed, Non-Preemptible, or Preemptible With Notice class spots. The Station will give its best, good faith assessment of the likelihood of preemption at the time of the request for any particular rate level requested.

Other Classes (Priority Code 6): The Station offers "Direct Response" ads which are scheduled to air at the Station's discretion in the particular program, time period or daypart specified by the advertiser. Makegoods are not available. Rates and other conditions of use are available upon request.

Where there are more ads purchased in a class of time than available inventory, it will be up to the station's discretion as to which ads air. The station will provide the advertiser of the preempted spot with a makegood of equal value.

**Questions concerning the policies outlined in this disclosure should be directed to George Sirven, Station Manager, at 318-861-5821.**

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