

POLITICAL ADVERTISING POLICY DISCLOSURE STATEMENT

WSMV-TV

5700 Knob Road

Nashville, TN

Effective as of: February 2, 2024

1. Applicability

This policy describes the political advertising policies of Gray Media Group, Inc., d/b/a WSMV-TV (“Station”) in the Nashville, TN Designated Market Area adopted in compliance with the requirements, rules and regulations of the Federal Communications Commission. These policies apply to purchases of advertising time for “uses” by legally-qualified candidates for public office (i.e., spots which feature the candidate’s recognizable voice or likeness and are controlled, sponsored or approved by the candidate or the candidate’s authorized committee), including advertising time for candidate-authorized coordinated buys. These policies do not apply to third-party ads, such as those purchased by political action committees, political parties, or issue advertisers.

2. Access

Reasonable access will be provided to all Federal candidates and legally qualified candidates in certain state and local races. In order to comply with its equal opportunity obligations, the Station reserves the right to limit the amount of time made available for candidates for state or local races. The Station does not separate competitive political advertisements. Thus, a candidate’s spots may be aired “back-to-back” with their opponent’s spots.

3. Classes of Time

The Station offers the following classes of time. All rates quoted are for 30-second spots , other length spots (:60) (:15) may be available upon request.

The following are descriptions of classes of time available for purchase on WSMV and the estimated degree of preemptibility. With the exception of Fixed, each class of time has varying degrees of preemptibility based on rates and demand against WSMV’s inventory. An estimate of the degree of preemptibility for each class of time is outlined below. However, these are only estimates and these percentages may go up or down based on current market conditions.

Level 1 – Fixed (non-preemptible). This class of time is non-preemptible. It will not be preempted due to sellout. However, it could be preempted due to technical issues or be recaptured in order to comply with statutory obligations included in the equal opportunities provisions of the Communications Act.

Level 2 –Preemptible with 1-2 Days Notice: Spots ordered in this class of time may be preempted with 1-2 days' notice. This is the next highest class of time to Fixed. Although chances are low, the possibility exists that a spot purchased in this class of time can and will be preempted by a higher priced spot. In this class of time, the chance of preemption is as low as 5%. Although the station's policy is to offer all candidates make goods before the election, we cannot guarantee to any advertiser that the make good can be provided in the time period or rotation originally ordered. If inventory constraints and the class of time purchased preclude such identical scheduling, we will offer make goods of equivalent value. If these are not acceptable to the advertiser, the station will provide credit or refund for pre-empted spots.

Level 3 – Preemptible with 0-1 Days Notice. Spots ordered in this class of time may be preempted by a higher priced spot with as little as 0-1 day notice. In this class of time, the chance of preemption is between 25%-35%. Although the station's policy is to offer all candidates make goods before the election, we cannot guarantee to any advertiser that the make good can be provided in the time period or rotation originally ordered. If inventory constraints and the class of time purchased preclude such identical scheduling, we will offer make goods of equivalent value. If these are not acceptable to the advertiser, the station will provide credit or refund for pre-empted spots.

Level 4 – Immediately Preemptible. This is the lowest class of time before ROS (Run of Schedule) commercials. Spots order in this class of time are subject to immediate preemption with no notice. These spots run a much higher risk of being preempted by a higher priced spot. The chance of preemption in this class of time is 45%. Although the station's policy is to offer all candidates make goods before the election, we cannot guarantee to any advertiser that the make good can be provided in the time period or rotation originally ordered. If inventory constraints and the class of time purchased preclude such identical scheduling, we will offer make goods of equivalent value. If these are not acceptable to the advertiser, the station will provide credit or refund for pre-empted spots.

Run-of-Schedule. These spots are cleared and scheduled to fill unsold inventory and are subject to preemption for an advertiser purchasing time in any of the classes described above. No makegoods are available for spots purchased in this class; instead, the advertiser will receive a credit if any ordered spots are not aired within the flight dates.

Other Class of Time, Special Programs. Other classes of time, special program spots (sporting events, annual entertainment events), or packages may be available. Rates for these spots are available upon request.

4. Lowest Unit Rate

The lowest unit charge is the lowest rate paid for the same class, time-period and amount of time that clears. 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. Outside of the 45-days and 60-days periods before primary and general elections, the Station will sell time to candidates at the current effective selling rate for comparable commercial advertisers.

Current estimates of the lowest unit charge and probability of preemption are included on the attached rate card. Because we cannot determine lowest unit charge until all time has aired in a particular week and because the rate levels at which time will clear vary with market demand, the Station cannot guarantee estimates of the lowest unit charge or of the preemption likelihood of a particular class of time. All such estimates are subject to the demand and supply of current market conditions.

- The 45 day LUR “window” for the March 5th Tennessee Presidential primary is January 20th, 2024 to March 5th, 2024.
- The 45 day LUR “window” for the May 21st Kentucky State, Federal, and Presidential primary is April 6th, 2024 to May 21st, 2024.
- The 45 day LUR “window” for the August 1st Tennessee State and Federal primary is June 17th to August 4th, 2024.
- The 60 LUR “window” for the November 5th General Election is September 6th to November 5th, 2024.

5. Preemption/Rebates

Priority for pre-emption is based on class of time, last one in, first one out, at the lowest unit rate.

If a lower priced spot clears in the same class and time-period, the station will rebate the difference to the candidate. The station reviews its records on a weekly basis. Candidates will be given the option of receiving a credit toward future purchases or receiving a rebate.

Political Advertisers are cautioned that the risk of preemption may change significantly, especially during high-demand periods leading up to an election, and that such changes may be material. Political Advertisers should periodically call the Station to obtain the Station’s then-current estimate of the risk of preemption for any purchased schedule.

6. Make Goods

If the class of time purchased includes a right to make goods, the station will make every effort to provide timely and appropriate make goods. If the station is unable to provide make goods, a rebate will be provided.

7. Sponsorship ID

All political advertisements must contain sponsorship identification that complies with Section 73.1212 of the FCC's rules and with applicable federal and state election laws. Such sponsorship ID must fully and accurately identify the organization or individual that has paid for the spot using the terms "paid for by" or "sponsored by."

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

Additionally, advertisements for federal candidates must also include a statement that identifies the candidate and states that he or she approved the communication. The candidate must convey the statement either through an unobscured full-screen view while identifying themselves and making the required statement, or by including a voice-over in which the candidate identifies himself and makes the required statement while a clearly identifiable photographic or similar image – which must occupy at least 80% of the vertical screen height – appears on screen. If the spot makes a direct reference to another candidate for the same office, then 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.

8. Sponsorship ID and LUC for Federal Candidates

In compliance with Bipartisan Campaign Reform Act of 2002 ("BCRA"), a federal candidate is only eligible to receive the station's lowest unit rate if the candidate or the candidate's authorized committee, certifies to the Station that the proposed political advertisement will not make a direct reference to an opponent candidate unless the spot complies with the enhanced disclosure requirements of BCRA. The enhanced BCRA disclosure requirement requires that the spot contain a clearly identifiable photo or image of the candidate, and a clearly readable statement that identifies the candidate, states that he or she approved the broadcast, and that his or her authorized committee paid for the spot. If a federal candidate does not provide the required certification or does not comply with the enhanced disclosure requirements, 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.

9. Agency Commission. The Station provides a 15% discount for ad buys made by an advertising agency. Political candidates and authorized campaign committees who purchase time without an advertising agency will receive a 15% discount.

10. Placing an Order. Orders for time will not be considered firm, until the Station has received the following:

- A complete, accurate and signed NAB PB-18 Form (or all information required by this form);
- Where doubt exists, satisfactory proof that the candidate is “legally qualified” as that term is defined by the FCC.
- Where doubt exists, satisfactory proof that the purchaser is authorized to buy time for the candidate
- Advance payment for ordered time.

Note: Advance orders for schedules of political advertising will be subject to reconfirmation on the later date of the date payment is received or thirty (30) days before the start of the schedule, and are not considered final until that time.

11. Traffic Instructions and Deadlines.

All traffic instructions, and any changes, must be received in writing. The Station will accept spots delivered by: Extreme Reach, Spot Genie, Yangaroo, Comcast Ad Delivery, EZ Spot. We also accept most downloadable links.

In order to ensure sufficient time to conduct pre-broadcast review of spots, candidates must respect the following order deadlines.

LOG	COPY DEADLINE
MONDAY	FRIDAY @ 12:00 NOON
TUESDAY	MONDAY @ 1PM
WEDNESDAY	TUESDAY @ 1PM
THURSDAY	WEDNESDAY @ 1PM
FRIDAY	THURSDAY @ 1PM
SATURDAY	FRIDAY @ 12:00 NOON
SUNDAY	FRIDAY @ 12:00 NOON

12. Station Access/Production.

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

The Station may make production facilities available for political advertisements and programs, subject to availability. Production charges are handled separately from time charges. Contact station for information and rates.

13. Cancellation. WSMV requests a two-week notice prior to any cancellation, but will endeavor to cancel commercials on less notice as needed.

14. Election Day Schedules. The Station will air political ads on Election Day until 7:00pm CT. All requests for Election Day availabilities must be received by close of business on the Tuesday prior to the election.

15. Public File. The Station maintains an online political file. Information in this file can be found at <https://publicfiles.fcc.gov/>.

16. Non-Discrimination. Stations licensed to Gray Television do not discriminate in the sale of advertising time, and will accept no advertising which is placed with intent to discriminate on the basis of race or ethnicity. The parties to an agreement for the sale of advertising time on a station licensed to Gray Television affirm that nothing in that agreement will discriminate in any way on the basis of race or ethnicity.

17. Commercial Advertising Loudness Mitigation Act (CALM Act) Certification. By purchasing time on the Station, each advertiser certifies that it has properly measured the loudness of the commercial or other content and has accurately reported that loudness, consistent with the Advanced Television Systems Committee (ATSC)'s "Recommended Practice: Techniques for Establishing and Maintaining Audio Loudness for Digital Television" (A/85), and any successor thereto approved by the ATSC.

18. Compliance with Laws. By purchasing time on the Station, each advertiser certifies that the commercial or other content complies with applicable laws and regulations, including election laws and those regulating the use of content generated or manipulated by artificial intelligence.

20. Questions regarding political advertising should be directed towards following people, in order:

Eric Longley – National Sales Manager

Eric.Longley@wsmv.com

Office – 615-353-2289

Justin Daugherty – General Sales Manager

Justin.Daugherty@wsmv.com

Office - 865-748-4966

Roger McDowell – National Sales Coordinator

roger.mcdowell@gray.tv

Office – 865-766-8121

Heather Earles– Traffic Coordinator

wsmv.traffic@gray.tv

Jasmine Hardin – Regional VP/General Manager

Jasmine.Hardin@wsmv.com

Office – 615-353-4444

WSMV-TV NASHVILLE, TN

A C K N O W L E D G E M E N T

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 classes, rates, discounts, preemptibility, and package plans.

Station Acknowledgement of disclosure to candidate

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

Email

Date