

SUMMITMedia LLC Omaha

Omaha Radio – KEZO-FM, KKCD-FM, KQCH-FM, KSRZ-FM, KXSP-AM

Political Advertising Policy Statement

SECTION 1 – GENERAL INFORMATION

A. Applicability

These policies apply only to legally qualified Candidates or their authorized campaign organizations to promote their candidacy; they are not applicable to political action committees or to non-candidate “issue” advertising.

B. Required Candidate Information.

All inquiries should identify the candidate, organization and nature of the request.

The NAB **PB-18 form** completed by the advertiser must accompany each political order.

A list of the entity’s executive officers or the members of the executive committee and of the entity’s board of directors must be provided when the purchase is made by a corporation, committee, association or other unincorporated group.

Where doubt exists, Omaha Radio may require satisfactory proof that the candidate is “legally qualified”, as that term is defined by the FCC.

Where doubt exists, Omaha Radio may require satisfactory proof that the purchaser is authorized to buy time for the candidate.

Advertising orders for all candidates must be received in writing and signed by the person making the purchase. If an advertising agency is involved, the advertiser should furnish SUMMITMedia LLC Omaha with a statement signed by the candidate authorizing the agency to purchase advertising on the candidate’s behalf.

C. Access to the Public File.

All inquiries, including requests for time and time purchase orders will be placed in the Omaha Radio Political File in a timely fashion.

Candidates or their representatives may view the station Public Political File online at:
<https://publicfiles.fcc.gov/>

SECTION 2 - APPLICABILITY OF LOWEST UNIT CHARGE; ACCESS

A. Lowest Unit Charge Period.

Section 315(e) of the Communications Act of 1934, as amended (the “Act”) directs broadcasters to charge legally qualified candidates for public office the lowest unit charge (“LUC”) of the station for the same class of time for the time period when the advertisement airs during the 45 days preceding a primary election and the 60 days preceding a general or special election (“Lowest Unit Charge Periods”). Within the Lowest Unit Charge Periods, the rates charged to political candidates will not exceed the lowest price paid by another advertiser for spots of the same class and length for the same program, daypart or rotation which run

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during the same rate period as the political spots. A legally qualified federal candidate will be eligible to receive the LUC only if the candidate provides the written certification required under the Bipartisan Campaign Reformed Act of 2002 (“BCRA”) and adheres to that certification throughout the campaign.

These policies apply to purchases of advertising time for “use” by political candidates. A “use” is any “positive appearance of a candidate whose voice or likeness is either identified or is readily identifiable.” During any time outside of the 45-day and 60-day Lowest Unit Charge Periods, the charges for political advertisements constituting a “use” will not exceed rates charged to other advertisers for comparable use of a Station’s facilities.

B. Reasonable Access

The Act requires broadcast licenses to provide “reasonable access” to all federal candidates. 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 be afforded to particular candidates in light of all relevant circumstances. All commercial schedules are subject to the understanding that SUMMITMedia LLC Omaha may cancel portions of schedules to allow access to other candidates in compliance with federal laws. The Station may determine, in its sole discretion, which non-federal elections it will accept.

SECTION 3 - CLASSES OF COMMERCIAL TIME; COMMERCIAL LENGTH; PACKAGES

A. Class of Time

The Station offers three classes of time. Specific information regarding each class of time is provided at the end of this document. Estimates of the Station’s lowest unit charge for each class of time, rotation, program and/or period of the broadcast day are set forth on the Station’s political rate card. The precise lowest unit rate may not be determined until after particular spots have aired. Lowest unit rates provided to eligible candidates in advance represent the station’s best good faith estimate of such rates, although the final rates may vary, in which event rebates will be provided if appropriate.

B. Periods of Time

The programs and/or dayparts in which commercial spots may be purchased are set forth on the Station’s political rate card. The Station also offers several rotators – e.g. 6a-7p, 5A-8P, 5A-12M. Station also will negotiate rotations other than those listed in its rate card, including narrower dayparts, based on the request of the advertiser. Narrower dayparts will have higher lowest unit charges as noted on the rate card. Lowest unit rates for other rotators sold by Station are available on request.

C. Preemptions and Makegoods

The chance that preemptible commercials will in fact be preempted varies with the demand for time, and that depends on many factors such as the popularity of particular programs and seasonal demand. As a result, the clearance potential of particular classes of commercials cannot be predicted in advance with complete accuracy. Inquiry should be made at the time of

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the order for current estimates of the clearance potential. These estimates do not guarantee clearance. As described below, for certain classes of preemptible time, in the event that preemption occurs, the station will offer a suitable makegood. The Station cannot guarantee to any advertiser that makegoods can be provided in the time period or rotation originally ordered. If individual constraints preclude such identical scheduling, the Station will offer make-goods, which may consist of one or more spots with an aggregated equivalent value. If these are not acceptable, the Station will provide credits or refunds for preempted spots.

D. Rebates/Credits

If the Station sells advertising time to an eligible political candidate for a “use” during the Lowest Unit Charge Periods for a particular amount and class of time at a rate in excess of the rate charged another advertiser for the same amount and class of time in the same time period which clears as scheduled, the Station will afford the candidate the benefit of the lower rate by means of a rebate, a credit against future purchases, or a refund of the difference, as determined by the candidate.

E. Commercial Length

All the rates listed on our Political Rate Card are for :30 and :60 second commercials. Other length commercials including :15, may be available on request. Requests by federal candidates for program time will be considered on an individual basis.

F. Packages; Value Added Features

The Station offers individually negotiated packages that may include, for example, combinations of spots in various dayparts, bonus and discount overnight and/or ROS spots. Sponsorship packages which would imply relationship between the station and a candidate are not available to political candidates. In addition, non-cash incentives of *de minimis* value or which would imply a relationship between the station and a candidate, which may be available in some package plans, are not available to candidates. All other packages that are made available to commercial advertisers are available to political candidates.

If scheduled during the prescribed lowest unit rate periods, eligible political candidates may purchase packages that include value-added elements in conjunction with commercial spots on the same terms as offered to commercial advertisers. Value-added packages offered by SUMMITMedia LLC Omaha include program and daypart-specific commercial spots, ROS spots, website features, links, and advertisements, as well as coupons for local businesses. As noted above, value-added promotional incentives that might imply an endorsement by or other relationship with a station are not available to political candidates. Details about Station’s value-added packages will be provided upon request.

SECTION 4 - SCHEDULE REQUIREMENTS

A. Receipt of All Required Documentation

The Station must have received all properly completed documents prior to running a schedule:

- The NAB PB-18 form completed by the advertiser should accompany each political order.

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- A list of the entities' chief executive officers, executive committee or board of directors, where the purchase is made by a corporation, committee, association or other unincorporated group.
- For federal candidates, the certification required by BCRA.

B. Payment for Commercial Schedule

SUMMITMedia LLC Omaha requires all new advertisers and all advertisers in volatile businesses or those whose operations are intermittent or of limited duration, including political candidates, to pay for all spots being ordered in advance. Net cash payment must be received for the full net amount before the schedule is confirmed. ONLY the amount of time paid for in advance of the first announcement scheduled in any contract will be confirmed and contracted. Announcements for independent political action committees or issue advertising must be paid in advance at the time that an order is placed.

C. Traffic and Schedule Guidelines

1. Commercial facilities, along with written instructions for their use, should be submitted to Station as soon as possible to ensure proper airing. All instructions for airing of facilities should be in writing. Changes to these instructions should be in writing prior to the changes being made. Commercials should be received in sufficient time to permit confirmation of compliance with sponsorship identification requirements and with broadcast technical standards.

2. Log Schedule - All advertising orders, political agreement forms, payments and completed production must be received by Station within the log schedule provided at the end of this statement. All required material must be in-house and in conformance with FCC guidelines by the above deadlines before confirmation will be considered. This includes both revisions and new orders.

SECTION 5 – SPONSORSHIP IDENTIFICATION

All political announcements must comply with the sponsorship identification requirements of Section 317 of the Act and disclaimer requirements imposed under BCRA. The announcement must state "paid for" or "sponsored by" the entity actually paying for the time.

Should candidate ads not contain the proper identification, the Station reserves the right to add the appropriate material. If an announcement requires station production to either add or fix candidate identification, SUMMITMedia LLC Omaha will perform the production at the advertiser's expense within a reasonable period of time. The station added identification might require deletion of some part of the existing commercial. A commercial which arrives without proper identification must be revised to conform with FCC rules.

SECTION 6 – PRODUCTION

A. Commercial Production

SUMMITMedia LLC Omaha does produce commercial announcements. Contact information is provided at the end of this Statement.

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Station and Election specific Guidelines

A. Requesting General Information.

All Inquiries should be directed to Kathy Higgins, President/General Manager Omaha Radio – KEZO, KKCD, KSRZ, KQCH, KXSP, kathy.higgins@summitmediacorp.com, SUMMITMedia LLC Omaha, Omaha, NE.

B. Election Periods

- | | |
|-------------------------|--------------------|
| • Iowa Caucus - Primary | 12/20/19 – 2/03/20 |
| • Nebraska Primary | 3/28/20 – 5/12/20 |
| • Iowa Primary | 4/18/20 – 6/02/20 |
| • General Election | 9/04/20 – 11/03/20 |

C. Classes of Time: Following are descriptions of Station's classes of time:

- **Non-Pre-emptible (P1)** Commercial announcements scheduled that are non-pre-emptible and will air as scheduled absent of unforeseen program changes or technical difficulties.
- **Pre-emptible with notice (P2)** Commercial announcements may be preempted with notification to the advertiser in advance, unless unforeseen program changes or technical difficulties. Generally, these spots have an approximately 80-90% chance of clearance. Clearance probabilities vary depending on the daypart in which the spot airs. The Station will give its best, good-faith estimate of the likelihood of preemption at the time of the request for any particular spot requested. Makegoods of the same or equal value will be made available.
- **Pre-emptible With Make-Good (P3)** Commercial announcements may be preempted by P1, and P2 spot announcements without notice to the advertiser. The station will give its best to makegood within the timeperiod ordered, or comparable makegood will be offered.

SUMMITMedia Omaha LOG DEADLINES

<u>Beginning Air Date</u>	<u>Deadline</u>	<u>ORDER</u> <u>DEADLINE</u>	<u>COPY</u> <u>DEADLINE</u>
Tuesday	Mon	NOON	2pm
Wednesday	Tue	NOON	2pm
Thursday	Wed	NOON	2pm
Friday	Thu	NOON	2pm
Saturday	Thu	3p	COB
Sunday	Thu	COB	COB
Monday	Fri	NOON	2pm

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All required material must be in-house and in conformance with FCC guidelines by the above deadlines before confirmation will be considered. This includes both revisions and new orders. In the event Station receives a political order after these deadlines, it will make reasonable efforts to accommodate placement of the order; however, Station cannot guaranty that its efforts will be successful.

D. Commercial Production.

Contact Mike St.James, mike.stjames@summitmediacorp.com, for details and production deadlines. If there is already a produced spot, please email spot and instructions to: omaspots@summitmediacorp.com. Please make sure the name on the spot matches the candidate name as ordered.

SummitMedia LLC requires a two-week (2-week) advance written notice for cancellations.

POLICY ACKNOWLEDGEMENT

I, _____, am an authorized member of _____,
who is placing Political Advertising with SUMMITMedia LLC Omaha. In that capacity, I
acknowledge receipt and understanding of SUMMITMedia LLC Omaha’s Political Advertising
Policy Statement on this date _____