



Townsquare Media – PORTLAND, ME
WBLM, WCYY, WHOM, WJBQ, WPKQ
STATEMENT OF POLICY ON POLITICAL ADVERTISING

It is the intention of Townsquare Media PORTLAND, ME to comply fully with all applicable laws and regulations relating to the use of the station by legally qualified candidates for public office. Our policies regarding political broadcasting are designed to meet all legal requirements. However, to the extent permitted by law, Townsquare Media PORTLAND, ME reserves the right to modify this policy at any time. This policy is provided for general information, and is not intended to be a part of any advertising contract. Any advertising contract is governed by law and by its own terms.

CANDIDATES FOR FEDERAL OFFICE. We afford legally qualified candidates for federal elective office reasonable access to Townsquare Media PORTLAND, ME by permitting the purchase of reasonable amounts of time. While Townsquare Media PORTLAND, ME does not offer *free* time for political advertising, it makes available for purchase by federal candidates any class of time and time period available to commercial advertisers. Federal candidates may purchase any length of time that Townsquare Media PORTLAND, ME determines, on a case-by-case basis, is consistent with law and FCC rules. Townsquare Media PORTLAND, ME has no predetermined limitations on the amount of time a federal candidate may purchase or on the time of day in which his/her announcements may appear.

All candidates for Federal office should be aware of the certification requirements created by the Bipartisan Campaign Reform Act (the "BCRA"). As a result of the BCRA, Federal candidates, in order to qualify for lowest unit rates, must provide our stations with a certificate, certified by the candidate or the candidate's authorized committee. That certification must state that the candidate will not make any direct reference to an opposing candidate in the advertising unless, in the case of radio, the spot at the end contains the voice of the candidate identifying himself or herself, the office that he or she is running for, and a statement that he or she has approved the spot. It is our understanding of the law that a Federal candidate that does not provide our stations with such certification, or whose spot does not contain the required statements, is not entitled to lowest unit charge.

Townsquare Media PORTLAND, ME intends to work individually with each federal candidate in an effort to meet his or her needs. In determining what constitutes "reasonable" access, we consider such factors as the amount of time the candidate has already purchased and/or used, the total number of candidates in the race who are likely to buy time, the overall demand for political advertising on Townsquare Media PORTLAND, ME, and potential programming disruption.

STATE AND LOCAL RACES. It is the policy of Townsquare Media PORTLAND, ME to keep its listeners informed of opposing candidates' viewpoints in state and local elections. Generally, Townsquare Media PORTLAND, ME also sells airtime to legally qualified candidates for non-federal public office. However, Townsquare Media PORTLAND, ME reserves the right to determine whether or not to sell to state and local candidates, and if it does sell to such candidates, to determine the amount of advertising that it will sell to state and local candidates. Some of the factors we consider in making these decisions include the number and importance of state and local races, the constraints imposed by Townsquare Media PORTLAND'S obligation to afford reasonable access to federal candidates, the availability of inventory, and potential programming disruption. Townsquare Media PORTLAND, ME may choose not to sell time at all for certain state and local races, or to limit the sale of time to state and local candidates to certain programs or dayparts. For the General Election of 2011 Townsquare Media PORTLAND, ME will accept advertising for all qualified candidates.

RATES FOR CANDIDATES. During the period 45 days preceding a primary or primary run-off election and during the period 60 days preceding a general or special election, the charges for use of Townsquare Media PORTLAND, ME by legally qualified candidates running in that election are not, under federal law, permitted to

exceed the lowest unit charge of Townsquare Media PORTLAND, ME for the same class and length of announcement for the same time period. Whether a candidate is entitled to the lowest unit charge for a particular spot depends on the date the spot airs -- not when the order is accepted.

Because the prices of spots on Townsquare Media PORTLAND, ME are subject to change, the lowest unit charge for a particular length of spot, class of spot and time period may also vary during the 45-day and 60-day pre-election periods. In the event any legally qualified political candidate is charged in excess of the applicable lowest unit charge, whether because of a post-order change in the applicable lowest unit charge or for any other reason, Townsquare Media PORTLAND, ME will rebate the excess payment to the candidate, or credit that amount toward a further time purchase should the candidate so desire.

At times when the lowest unit charge is not applicable, the charges for use of Townsquare Media PORTLAND, ME by legally qualified candidates may not exceed the charges made for comparable use of Townsquare Media PORTLAND, ME by other advertisers.

Lowest unit charges during the pre-election periods apply only to *“uses” by legally qualified candidates*. A “use” is defined as “any positive broadcast of a candidate’s voice or picture.” Lowest unit charge does not apply to third party or independent expenditure advertising, even if the advertisement constitutes a “use,” unless the advertisement is authorized by the candidate. The “use” must be sponsored by the candidate (or if not sponsored by the candidate, must be authorized by the candidate) to qualify for lowest unit charge.

AGENCY PLACEMENT. Townsquare Media PORTLAND’S lowest unit charge is based on the gross to Townsquare Media PORTLAND, ME, including spots sold by the station’s rep firm. Thus, for example, if Townsquare Media PORTLAND’S commissionable lowest unit charge for a particular advertisement is \$100, and a recognized agency books a spot on behalf of a legally qualified candidate who is entitled to the lowest unit charge, Townsquare Media PORTLAND, ME will receive \$85 from the sale of that spot (\$100 less the normal 15% agency commission) but the lowest unit charge will still be \$100.

TYPES OF ADVERTISING SCHEDULES. We are pleased to work with candidates and their representatives to ensure that the candidate is aware of and is able to make any purchase of time available to commercial advertisers, according to the schedule the candidate believes would be most advantageous. It is our policy to assist candidates in making informed judgments as to their time purchases by alerting them to the full range of options available. For that purpose, we provide the following information on the various types of purchases [STATION] advertisers may make:

- **Length of Announcements.** Generally, Townsquare Media PORTLAND, ME makes available for purchase airtime in the following lengths: 60 seconds. Our rates are based on a 60-second spot. As stated above, Townsquare Media PORTLAND, ME will make other lengths of time available to candidates for federal office on a case-by-case basis, consistent with law and FCC rules.
- **Classes of Time.** Generally, Townsquare Media PORTLAND, ME makes available the following classes of time: Preemptible with Notice and 100% Non-Preemptible. Other classes of time, such as ROS, and package plans may be available upon request, and are sold on an immediately preemptible without notice basis. Our preemptible spots are typically preempted approximately 3% of the time, although this percentage can vary based on station demand and sellout levels.

Time Periods. Individual spots sold in most classes of time can be scheduled to run in many different time periods or programs or combinations of time periods or programs. Generally, the prices of spots increase during time periods or programs of high audience levels or high advertiser demand. Spots restricted to narrower rotations or specific programs will generally cost more than spots scheduled to run in broader time periods. For example, spots scheduled to air during a particular hour or half-hour (*e.g.*, 4:00 p.m. - 4:30 p.m.; 8:00 p.m. - 9:00 p.m.) will generally cost more than spots scheduled to run at any time within the entire daypart (*e.g.*, 3:00 p.m. - 7:00 p.m.; 8:00 p.m. - 12:00 midnight). Spots scheduled to air during a particular program will generally cost more than spots scheduled to run at any time during several programs. Custom schedules can also be arranged.

- **Package Plans.** At any point in time, the station may offer a number of specialized and/or individually negotiated packages to its advertisers. These packages allow the station's clients to reach their intended audiences in the most cost-effective way. These packages may, for example, include spots in a number of different programs or dayparts, combinations of fixed and

preemptible spots, and so on. Other packages may be time and/or event specific, such as weekend sports broadcasts.

During the statutory "lowest unit rate" periods, legally qualified candidates may purchase such packages at the lowest price at which such packages are sold to commercial advertisers. In addition, during the pre-election "lowest unit rate" periods, legally qualified candidates may purchase any portion of a package at the package rate, without being required to purchase all parts of the package. For spots airing during a pre-election "lowest unit rate" period, whenever a spot rate included in a package plan is less than the lowest unit rate for the particular length, class and time period in which it is scheduled, the package rate becomes the new lowest unit rate for the same class of time in the same time period. The station will allocate the costs of spots of different classes included in package plans to reflect their true value, in accordance with the policies of the FCC.

- **Current rate information** for all of the lengths, classes of time, packages, and rotators offered by Townsquare Media PORTLAND, ME is provided to each person who requests information regarding political advertising on Townsquare Media PORTLAND, ME. In addition to the current "going rates," the station also will provide its best, good faith estimate of the lowest unit rates upon any request for information.
- **Make Goods.** It is the policy of Townsquare Media PORTLAND, ME to offer all political candidates "make goods," prior to the election, for candidate "use" spots that are preempted if Townsquare Media PORTLAND, ME has offered time-sensitive make goods for the same class of time to any commercial advertiser within the past year. Townsquare Media PORTLAND, ME cannot guarantee, however, that time-sensitive make goods can be provided in the time period or rotation originally ordered. If inventory constraints make identical scheduling impossible, Townsquare Media PORTLAND, ME will offer make goods of equivalent value. If these are not acceptable to the candidate, Townsquare Media PORTLAND, ME will provide credits or refunds for preempted spots.
- **News and Election Day.** Townsquare Media PORTLAND, ME does not accept political advertising during newscasts. Townsquare Media PORTLAND, ME does not have a news adjacency class of time. Townsquare Media PORTLAND, ME does accept political advertising on Election Day.

PREREQUISITES TO BROADCAST. For each political time order, an NAB political broadcast form must be at Townsquare Media PORTLAND'S representative's office at least 48 hours prior to broadcast. Copies of the current NAB form are available upon request. Tapes must be at Townsquare Media PORTLAND, ME at least 24 hours in advance of their first scheduled airing, or no later than close of business Thursday for weekend airing. However, we will do our best to accommodate federal candidates' requests for reasonable access regardless of notice.

SPONSORSHIP IDENTIFICATION. Under the rules of the Federal Communications Commission and the Federal Election Commission, a sponsorship identification announcement must be given revealing who paid for or sponsored an announcement or program. Candidates and their committees (or an outside party paying for the broadcast) must disclose the true identity of the person or entity by whom or on whose behalf payment is made. **If a political announcement does not contain proper sponsorship identification, the station is required to insert the required sponsorship identification before allowing the spot to air. Since all advertisements must be limited to the amount of time purchased, spots lacking the required identification may be partially overdubbed. If Townsquare Media PORTLAND, ME is required to perform such production, normal production charges will be assessed.**

PREPAYMENT AND CREDIT. All political orders, whether direct from the candidate or through a recognized advertising agency, are subject to normal Townsquare Media PORTLAND, ME credit policies. Federal candidates who wish to apply for credit should allow ample time for processing of the credit application. Unless credit is extended, advance payments must be made at least seven (7) days prior to the first scheduled broadcast of the flight. Federal candidates cannot be required to pay more than seven (7) days in advance. Regardless of these policies, we will do our best to meet the reasonable needs of federal candidates for access immediately before the election. All other candidates must pay in advance of broadcast as stated above.

PRODUCTION FACILITIES. Townsquare Media PORTLAND, ME will make its production facilities available to federal candidates and their representatives. All inquiries or requests concerning production time and facilities should be made through your sales representative or Townsquare Media PORTLAND'S production department.

Production rates are established on an hourly basis and can be affected by the type and amount of equipment and personnel required for a particular job. [The first hour is at no charge, each subsequent hour or portion of will be billed at \$150.00 per hour.] [Station to confirm/ update.]

POLITICAL FILE. We maintain a political file of all requests for broadcast time made by or on behalf of candidates for public office, together with materials showing the disposition made by each station within Townsquare Media PORTLAND, ME of each such request, any charges made if the request was granted, and the lengths, classes, and dayparts purchased. The political file is available for public inspection during regular business hours at each station's main studio. We retain the records in our political file for a period of two years. If you have any questions about our political file, please do not hesitate to ask.

LIST OF OFFICERS AND DIRECTORS REQUIRED. Townsquare Media PORTLAND, ME requires a committee, association, or group that is purchasing political advertising to furnish Townsquare Media PORTLAND, ME with a list of its chief executive officers, members of its executive committee, or members of its board of directors. Such lists must be furnished before Townsquare Media PORTLAND, ME will grant a request for time. These lists will be available for public inspection at Townsquare Media PORTLAND, ME main studio during regular business hours. These records will be retained in the political file for two years.

PLACING ORDERS. The following persons are available to assist candidates with their RADIO advertising on Townsquare Media PORTLAND, ME:

- Michelle Buck, Sales Coordinator, PORTLAND, ME michelle.buck@townsquaremedia.com 207-321-4258
- Mike Marcello, DOS PORTLAND, ME mike.marcello@townsquaremedia.com 207-321-4222
- Brian Lang, Market Manager, PORTLAND, ME brian.lang@townsquaremedia.com 207-321-4229



POLITICAL ADVERTISING CHECKLIST

Name of Candidate:

Office Being Sought:

Person Ordering Advertising:

Relationship to Candidate:

Person to Whom Disclosure Is Given:

- | <u>Date</u> | <u>Item</u> |
|-------------|--|
| ___ | Candidate has been determined to be "legally qualified." |
| ___ | Candidate's announcement constitutes a "use"; <i>i.e.</i> , candidate personally appears on the spot and is identifiable. |
| ___ | Candidate's announcement contains proper sponsorship identification. |
| ___ | Candidate has provided NAB form or other written statement of agency authorization to place advertising on behalf of candidate. |
| ___ | Candidate has been provided with: <ul style="list-style-type: none">-- Townsquare Media PORTLAND, ME Statement of Policy on Political Advertising; and-- Townsquare Media PORTLAND, ME Station Rate Information |
| ___ | Campaign Committee has provided list of officers and directors. |

Date: _____

Salesperson: _____