



# INFORMATION CONCERNING POLITICAL ADVERTISING POLICIES OF **KMYZ-FM**

The following describes the political advertising policies of **KMYZ-FM** Radio, adopted in compliance with requirements of the Communications Act of 1934, as amended, and the rules and regulations of the Federal Communications Commission. These policies apply to purchases of advertising time for “use” by legally-qualified political candidates. A political advertisement or program involves a “use” if it includes the recognizable voice of the candidate. Candidates may be asked to demonstrate that they are legally-qualified. All federal candidates must comply with the requirements of the Bipartisan Campaign Reform Act of 2002.

## Spot Announcements – Terms and Conditions

During the 45-day period before a primary election and the 60-day period before a general or special election (the “Pre-Election Window”) the Station will sell spot announcement time to political candidates on the same terms and conditions, including discount and other privileges, as are available to its most favored commercial advertisers. Pursuant to the Bipartisan Campaign Reform Act of 2002, no federal candidate will be offered the station’s lowest unit charge unless the candidate provides the station with a certification acceptable to the station that the candidate (and any authorized committee of the candidate) has not and will not make any direct reference to another candidate for the same office in any broadcast unless the broadcast complies with Section 315(b)(2)(C) of the Communications Act as amended by the Bipartisan Campaign Reform Act of 2002. Outside the statutory pre-election window time will be sold to candidates on the same basis as to commercial advertisers.

The base availability is a 60-second and 30-second spot announcement. The regular, standard length of time units are 60 second and 30 second announcements as printed on the Station's rate card. The station’s methods of selling advertising time are based on meeting advertiser demand up to the station inventory available. Station may at times, arrive at a sellout level over 100% for certain dayparts on certain days, at which time spot announcements are bumped on a priority level system. The station’s priority system of spot clearance levels is as follows:

Priority Level	Chance of pre-emption
Three (3)	High 81% to 100%
Four (4)	Low- Medium (5-80%)

Legally qualified political candidates will be able to purchase advertising at demand-generated rates, including rates that are higher than the lowest unit charge, in the same manner as commercial advertisers.

The following classes of spot times reflect the highest clearance level of priority (3):

	<u>Mon-Fri</u>		<u>Sat</u>		<u>Sun</u>	
	:60’s	:30’s	:60’s	:30’s	:60’s	:30’s
6:00AM-10:00AM	\$45	\$32	\$30	\$21	\$20	\$14
10:00AM-3:00PM	\$45	\$32	\$30	\$21	\$20	\$14
3:00PM-7:00PM	\$45	\$32	\$30	\$21	\$20	\$14
7:00PM-12Mid	\$25	\$18	\$20	\$14	\$15	\$11
6:00AM-7:00PM	N/A	N/A	\$30	\$21	\$20	\$14
12Mid-6:00AM	\$3	\$2	\$3	\$2	\$3	\$2





The following classes of spot times reflect the lowest clearance level of priority (4):

	<u>Mon-Fri</u>		<u>Sat</u>		<u>Sun</u>	
	:60's	:30's	:60's	:30's	:60's	:30's
6:00AM-10:00AM	\$30	\$21	\$19	\$13	\$9	\$6
10:00AM-3:00PM	\$30	\$21	\$19	\$13	\$9	\$6
3:00PM-7:00PM	\$30	\$21	\$19	\$13	\$9	\$6
7:00PM-12Mid	\$9	\$6	\$9	\$6	\$4	\$3
6:00AM-7:00PM	N/A	N/A	\$19	\$13	\$9	\$6
12Mid-6:00AM	\$2	\$1	\$2	\$1	\$2	\$1

Pre-emption and Make-Goods: Once a schedule has been accepted and cleared, the Station will only pre-empt spots based on above priority system. At times advertiser demand may outweigh the station's ability to deliver on the orders it has accepted. Every effort is made to run scheduled commercials within an order's scheduled days and dayparts. However, it cannot guarantee any advertiser that make-goods will be provided in the time period ordered. If inventory constraints preclude identical scheduling, the Station will offer make-goods in time period(s) of equal or greater value, or, if the candidate prefers, will issue credits or rebates. All legally-qualified federal political candidates will be able to purchase time on this basis.

Political spots will not be aired in or adjacent to any news programs, as weather sponsorships, as traffic sponsorships or sold within paid pre-recorded programs.

Political advertising will be accepted day of election.

All commercials and programs are fully commissionable to recognized agencies at 15%. Candidates who purchase time without the use of an agency will be extended a 15% discount.

#### Sales of Time Outside the Pre-Election Window

If candidates purchase time for broadcast outside the statutory Pre-Election Window, rates and conditions of sale will be comparable to those charged and applied to commercial advertisers. Avails and rates will be provided to candidates for these periods on the same basis as to commercial advertisers. Candidates are not entitled to the lowest unit charge for time purchased for use outside the statutory Pre-Election Windows but will be sold time at rates comparable to those paid by commercial advertisers. Volume discounts and similar discount privileges are available to candidates only on the same basis they are available to commercial advertisers during those periods. Rebates will be available only if required by equal opportunities and comparable rate requirements. The Station's policies concerning make-goods, the availability and pricing of package plans and other sales practices will be applied to political advertisers during non-window periods on the same basis as to commercial advertisers. Candidates purchasing time for broadcast outside of pre-election windows should inquire if they have additional questions about the Station's policies during these periods.

Federal candidates must provide the station with a certification acceptable to the station that they (and their authorized committee) have not and will not make any direct reference to another candidate for the same office in any broadcast unless the broadcast complies with Section 315(b) (2) (C) of the Communications Act as amended by the Bipartisan Campaign Reform Act of 2002. This certification must be provided before the Pre-Election Windows if the candidate





intends to receive statutory lowest unit charge benefits inside of the Pre-Election Windows, and should be provided with the first order whenever possible.

#### Availabilities

A description of KMYZ-FM programs for all days and dayparts is available upon request.

The Station may also make available other rotations upon request, and may negotiate special advertising packages (combinations of spots in various classes or rotations) tailored to suit the particular needs of individual candidates. The Station may also engage in special promotions and if so, it will make such promotions available to political advertisers upon request. Please note that in calculating the lowest unit charge, the Station will take into account the rates for spots which are part of packages sold to commercial advertisers, and candidates who purchase time for use during the Pre-Election Window do not need to purchase packages in order to gain the advantage of package pricing.

All station sales of time for use by political candidates are subject to federal equal opportunities and reasonable access requirements.

The Station will accept political advertising from candidates for Federal offices and statewide offices. State Senate, State House and Local races may be accepted on a case-by-case basis depending upon availability.

#### Program Time – Term and Conditions

The Station will, on appropriate request and consistent with applicable federal requirements, make program time available for use by legally-qualified federal political candidates.

#### Rebates

The lowest unit charge is the lowest per-spot price paid for the same class and amount of time during the same time period. In calculating the lowest unit charge, the Station will take account of rates for spots that are sold as part of packages.

#### Ordering Procedures

All political advertisers are asked to execute the attached “Acknowledgement of Political Broadcasting Policies of KMYZ-FM.”

Payment in full is due at the time of the order but no more than one week before the schedule is to start. Exceptions may be made for candidates or agencies (which accept payment responsibility in writing) with an established credit history, consistent with the Station’s policy with respect to similarly-situated commercial advertisers. No scheduled time will be considered firm until the Station has confirmed and accepted the order and payment is received. All payments must be made by check, cash or money order. All political advertisers must provide complete information concerning the entity or individual who is paying for the advertisement, including the identity of its chief executive officers or members of its executive committee or board of directors.

The Station 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 Station, the candidate will be advised as soon as practicable and an appropriate refund will be issued.





All advertising contracts and production materials should arrive at KMYZ-FM 12 hours in advance of broadcast in order to ensure compliance with sponsorship identification requirements, Station technical standards and the provisions of this policy. Orders to begin during a weekend should be placed with payment no later than Friday noon.

### Sponsorship Identification

Station expects all federal candidates to comply with the requirements of the Bipartisan Campaign Reform Act of 2002. These requirements include new sponsorship identification requirements. It is the responsibility of the candidate, and not the station, to ensure that each candidate ad complies with applicable federal requirements. At a minimum, all political announcements and programs must include a sponsorship identification announcement which fully and accurately identifies the organization or individual which has paid for the commercial, using the terms "paid for by" or "sponsored by." If an announcement or program does not include the required sponsorship identification, the Station will add the necessary information and charge the candidate production charges in accordance with its practices applicable to commercial advertisers. For a federal candidate to receive lowest unit charge, all advertisements that refer to opposing candidates must contain a statement that identifies the candidate, state that the candidate approved the broadcast, and state that the candidate and/or the candidate's authorized committee paid for the broadcast.

### Disputes

The Communications Act of 1934, as amended [the "Act"], establishes certain requirements for the sale of broadcast advertising time for use by or on behalf of political candidates. The Federal Communications Commission ["FCC"] has adopted rules and policies to implement those requirements and asserted its exclusive jurisdiction to enforce the Act. Complaints concerning the sale of political advertising by the Station should therefore be filed with the FCC, subject to judicial appeal as provided by the Act. In order to ensure that material necessary to resolution of disputes is maintained, political advertisers should file complaints with the FCC concerning the Station's political practices and policies promptly. The FCC's resolution of such complaint(s), subject to such judicial review as is provided by the Act, provides the sole and exclusive remedy for such complaints.

### Other Matters

The Station maintains a public inspection file at <https://publicfiles.fcc.gov/fm-profile/kmyz-fm> which includes certain required information concerning political advertising. Please contact Rick Collier, at 918-492-2660 [rick.collier@smgnational.com](mailto:rick.collier@smgnational.com) if you have any questions concerning the political advertising policies or rates of the Station.

This policy is subject to change.

KMYZ-FM is a Stephens Media Group station.

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