



**H E A R S T**  
television

**POLITICAL ADVERTISING  
DISCLOSURE STATEMENT**

**OF**

**WGAL-TV 8**  
Lancaster, Pennsylvania

**This Disclosure Statement is Effective  
for the Period Beginning on March 12, 2016  
and Ending on November 8, 2016**

**updated February 17, 2016**

Section 1  
**INTRODUCTION**

We wish to thank you for your interest in purchasing political advertising on WGAL-TV. It is our desire to furnish you complete information concerning our various advertising rates, policies, plans and packages and to assist you in making an informed decision concerning the purchase of advertising on our Station. This Disclosure Statement (“Disclosure Statement”) is being provided to you for that purpose.

Should you have any question concerning the Disclosure Statement, please let us know. We will be pleased to respond to your questions and to clarify, upon request, our various rate plans, sales packages and policies. We encourage you to inquire. All inquiries should be directed to:

Sally Rodgers  
National Sales Manager, WGAL  
Office: 717-735-7214  
Mobile: 803-606-1779  
[sbrodgers@hearst.com](mailto:sbrodgers@hearst.com)  
P.O. Box 7127  
Lancaster, PA 17604

Nancy Tulli  
General Sales Manager, WGAL  
Office: 717-735-7210  
Mobile: 717-371-7273  
[ntulli@hearst.com](mailto:ntulli@hearst.com)  
P.O. Box 7127  
Lancaster, PA 17604

Section 2  
**EQUAL OPPORTUNITY**

The Station will afford “equal opportunity” as determined by the Federal Communications Commission (“FCC”) for “uses” of the station’s broadcast facility by all legally qualified candidates for the same office.

For purposes of the “equal opportunity” requirement, a “use” is defined as any nonexempt appearance by a candidate on the station’s broadcast facility in which the candidate’s voice or likeness is identified or identifiable. Some candidate appearances, in news, news interviews, news documentaries, and involuntarily in the ads of opposing candidates do not normally qualify as a “use” and those appearances may be exempt from the “equal opportunity” law.

Section 3  
**ADVERTISING RATES**

It is our policy and practice to comply with all applicable FCC requirements with respect to rates charged by our station for political advertising. Thus, within the meaning of the FCC’s rules, it is our policy to extend for the “use” of the Station’s broadcast facility by “legally qualified candidates” during the “lowest unit charge period” which is the forty-five (45) day period prior to a primary election and the sixty (60) day period prior to a

general election—the “lowest unit charge” that the Station extends to its most favored commercial advertisers for purchase of the same class and amount of time for the same period. And we extend for the “use” of the Station’s broadcast facility by “legally qualified” candidates *outside* the applicable 45/60 day “lowest unit charge” periods, advertising rates that are comparable to rates we charge to commercial advertisers for comparable uses.

Please note that advertising (1) which does not include an appearance by the candidate in which the candidate’s voice or likeness is identified or is identifiable; (2) which is not purchased by the candidate or the candidate’s campaign committee or authorized agent; or (3) which is otherwise exempt by law does not constitute a “use.” Such advertising, therefore, would not qualify for the “lowest unit charge.”

It should be noted that the meaning of the term “use” in connection with the “lowest unit charge” requirement differs from the definition of a “use” for purposes of the “equal opportunity” requirement. For example, please see the definition of a “use” in Section 2.

Finally, *federal* candidates must meet the requirements of the Bipartisan Campaign Finance Reform Act of 2002 (“BCRA”) to qualify for the lowest unit charge. All contracts entered into with federal candidates seeking the lowest unit charge are subject to compliance with the following conditions:

(a) To receive the lowest unit charge during the applicable 45-day/60-day political windows, a candidate for *federal* office must provide a written certification to the Station stating that his or her advertisements will not mention any opponent unless at the end of such advertisement there appears simultaneously, for a period no less than 4 seconds—(i) a clearly identifiable photographic or similar image of the candidate; and (ii) a clearly readable printed statement, identifying the candidate and stating that the candidate has approved the broadcast and that the candidate’s authorized committee paid for the broadcast. Such certifications shall be provided and certified as accurate by the candidate (or any authorized committee of the candidate) at the time of purchase.

(b) Where a federal candidate has supplied the above-referenced certificate, any ads submitted by that candidate must, in fact, comply with the certificate in order to receive the lowest unit charge. In the event that a federal candidate’s ad does not comply with the above-referenced certificate, that candidate will not be eligible for the lowest unit charge for any ads placed during any remaining lowest unit charge windows.

#### Section 4

### **REASONABLE ACCESS BY FEDERAL CANDIDATES**

Federal law affords candidates for federal office “reasonable access” to “use” a broadcast station’s facilities. We will afford “legally qualified” federal candidates, i.e., candidates for President, Vice President, U.S. Senate and U.S. House of Representatives, “reasonable access” for the “use” of our facilities.

Section 5  
**ACCESS BY NON-FEDERAL CANDIDATES**

Candidates for state and local office will be afforded access to the Station's facilities subject to the time demands of federal candidates and our overall advertising availabilities. The Station may find it necessary not to accept or to limit the amount and class of advertising by certain candidates for state and local offices.

Section 6  
**HOW OUR ADVERTISING IS SOLD**

Our advertising rates are negotiated and established on an individual basis with each advertiser. Therefore, rates vary depending on the class of time (conditions of sale) sold, overall market conditions, and advertiser demand at the time the order is placed. These demand-driven rates will be extended to **all** political candidates to whom we sell advertising.

WGAL-TV offers the following three classes of time:

**(1) NON-PREEMPTIBLE (as a result of a higher rate advertiser)**

Section 1 announcements (spots) are purchased to run and broadcast within a specific time period/program as disclosed on WGAL's regular rate card and or WGAL's "LUC Estimates". They constitute the most expensive class of time sold by the station. These announcements will not be preempted by an advertiser offering a higher rate.

However, these announcements could be subject to preemption by a program change. In the event the program is not airing at all and there are no available spots in the content airing in the preempted program's place (ie: breaking news, special programming), comparable makegoods will be offered. In the event that a program change results in a shift in time or date, WGAL will move these spots with the program into its new time and/or date with prior notification

Additionally, a spot may be preempted in the event that all spots in a particular time period/program for an individual day have been sold at this class of time and an advertiser has more than one spot in said time period.

For example, some NBC primetime programs have only five spots available for sale in a given night. Of these five available spots, 2 may be purchased by candidate A and the other three spots are purchased by candidates B, C and D, one spot each. In this event, the station reserves the right to preempt one of the two spots purchased by candidate A to allow for a different candidate (candidate E) to purchase a spot at the same non-

preemptible rate. The goal is to allow as much access for all federal candidates as possible.

Lastly, WGAL reserves the right to not offer a spot to an advertiser in the event that a program is completely sold out at "Section 1" rates. In this event, comparable options will be offered as available. For federal candidates, equal opportunity will apply to all time periods/programs sold

In the event of any preemption to a "Section 1" spot, advertisers will be notified prior to the preemption and comparable makegoods will be offered as available.

### **(2) PREEMPTIBLE WITH NOTICE/MAKEGOOD OFFERED**

Section 2 announcements (spots) are purchased to run and broadcast within a specific time period as displayed on WGAL's regular rate card. These announcements are subject to preemption only upon notice to the advertiser prior to the preemption. Preemption with notice announcements are superior in terms of preemption to immediately preemptible announcements, but subordinate to non-preemptible announcements.

We estimate that this class of time will be preempted approximately ten percent (10%) of the time. The likelihood of preemption is a function of a number of factors including supply and demand. We will, upon request, provide you with a more current estimate of the likelihood of preemption when your order is placed.

### **(3) IMMEDIATELY PREEMPTIBLE WITHOUT NOTICE (no makegood offered/required)**

These announcements are scheduled to be broadcast at a specific time but may be preempted at any time if another advertiser desires to buy the time by paying a higher rate. These announcements carry the risk of preemption by the above classes of time sold by the station. We estimate that this class of announcements will be preempted approximately thirty percent (30%) of the time. The likelihood of preemption is a function of a number of factors including supply and demand. We will, upon request, provide you with a more current estimate of the likelihood of preemption when your order is placed.

### **(4) BROAD ROTATIONS**

We offer to all advertisers the option of purchasing advertising in broad rotations. They are scheduled at the discretion of the station and run only if no higher paying advertiser purchases the time period during which they are scheduled. The likelihood of preemption is a function of a number of factors including demand and supply. We will, upon request, provide you with a more current estimate of the likelihood of preemption when your order is placed. Makegoods will be offered for broad rotators as available, however are not required. Examples include M-F 5'

-9am, M-F 9am-5pm, M-F 5-630pm and M-Sa 8-11pm/Su 7-11pm. These are periodically sold to a limited list of clients and can be constructed for political clients upon request.

**(5) NBC Network Opportunities**

WGAL may have the option to purchase additional inventory at an auction price from NBC network in specific network programming. The specific inventory and programs will change and will be offered with limited advance notice. WGAL is not obligated to purchase the inventory being offered however if the station does purchase the inventory, the purchase will be offered for sale only at a fixed rate.

Section 7  
**TIME UNITS AVAILABLE**

WGAL-TV customarily sells commercial time in 30-second units. 60-second, 15-second, 10-second, and 5-second units are also sold, and rates for these can be provided upon request.

- WGAL-TV does not routinely sell time in units of more than 60-seconds' duration, although requests by political candidates to purchase longer form program time will be evaluated on a case-by-case basis. We request that you inquire of us if you are interested in purchasing longer form program time, and we will review with you the availabilities and rates that would be applicable both outside and within the "lowest unit charge" periods.
- Federal candidates will be afforded "reasonable access" to all time units, and all candidates for the same office will be assured "equal opportunity" in the placement, purchase, and amount of time.

Section 8  
**PREEMPTION PRIORITY FOR THE SAME CLASS OF TIME**

In the event our units sold within the same class of announcements for the same time period should exceed the Station's available inventory, we will, subject to the "reasonable access" requirements for federal candidates, establish a scheduling priority for the announcements on the following basis:

1. Outside lowest unit charge periods priority is given to advertisers depending on a number of factors, including (but not limited to): class of time purchased, rate, dollar volume on an annual basis, availability of make goods, time sensitivity (such as a 1-day sales event), credit history, percent of total order preempted, and date when order was placed.
2. During the lowest unit charge periods, political advertisements qualifying for the "lowest unit charge" will be afforded scheduling parity with

advertisements purchased by the Station's most favored commercial advertisers (within that class of time). In the event the purchase orders of a commercial and political advertiser should be considered equal under these criteria, a political advertiser will be afforded priority. In the event the purchase orders of two or more political advertisers should be considered equal under these criteria, the candidate whose check was received first will be afforded priority unless equal opportunity or reasonable access considerations require a different result.

#### Section 9

#### **MAKE GOOD POLICY**

In the event of pre-emption of a commercial for any reason, WGAL-TV will make reasonable efforts consistent with the terms for each class of item and the ordinary course of business to notify and "make good" the commercial in a suitable time period. In these circumstances, if a suitable make good announcement cannot be broadcast, we will issue a rebate or credit as the advertiser may elect.

#### Section 10

#### **RATES OUTSIDE THE LOWEST UNIT CHARGE PERIODS**

The rates listed in Attachment A constitute the current charges extended to our regular commercial advertisers for the various classes of time described above. These are the rates that are available to political advertisers outside the "lowest unit charge" periods.

#### Section 11

#### **PRICING AND CURRENT LOWEST UNIT CHARGE RATE**

##### Pricing:

Political candidates will be offered the opportunity to buy announcements on a preemptible basis at the lowest unit charge for each class of time (See Section 6).

##### Current Lowest Unit Charge Rate:

Available during the forty-five (45) day and sixty (60) day "lowest unit charge" periods prior to each election. Again political advertisers should be aware that because our rates are negotiated with each advertiser and rise and fall based upon overall advertiser demand, these rates are subject to change. Moreover, it is not always possible to determine the "lowest unit charge" for any given week until all advertising for that week has been broadcast. Where appropriate, credit, rebates, as the advertiser may elect, will be issued.

#### Section 12

#### **CURRENT RATES AND SELLING LEVELS**

At the end of each week, we will update the rates quoted above and will, upon request, provide our current rates and current selling levels (i.e., estimated likelihood of preemption) to each advertiser. We encourage you to inquire of us each week so that the most current information may be furnished to you.

### Section 13 **AUDIENCE DELIVERY**

While we will, upon request, attempt, in good faith, to estimate the audience rating for a specific advertising purchase, we do not guarantee that a particular advertising schedule will deliver that rating. We do not provide cash refunds or rebates to any commercial or political advertiser as the result of our failure to deliver an estimated audience rating. We will offer to run, in our discretion, bonus spots after an advertising schedule has been broadcast, if our rating information indicates that the Station delivered less than ninety percent (90%) of our estimated rating. The provision of such bonus advertisements, however, is not guaranteed; bonus amounts in these circumstances are subject to other time demands and availability and may not be offered in the same time periods as the original schedule.

Political advertisers should note that audience rating data may not be received until after an election. Therefore, a determination of the appropriateness of bonus advertising may not be made until after the election. Accordingly, any bonus advertising announcements that might be offered may be of no value to political advertisers. Rebates in these circumstances will not be made to political candidates because, as noted above, we do not make rebates to commercial advertisers for underdelivery of estimated audience ratings.

### Section 14 **PACKAGE PLANS**

WGAL-TV has limited number of special packages for a limited number of programs. Further information concerning these packages is available upon request. Billboards are not available to political candidates.

### Section 15 **PER INQUIRY AND DIRECT RESPONSE RATES**

We do have a direct response rate card, available upon request. We do not accept per inquiry advertising on WGAL-TV.

### Section 16 **NON-CASH MERCHANDISING AND PROMOTIONAL ADVERTISER INCENTIVES**

The Station may offer various non-cash merchandising and promotional incentives to commercial advertisers. There are two instances where these incentives are not available to political advertisers: (1) where the value of such merchandise is de minimis or (2) where the non-cash incentive plans or promotions reasonably imply a relationship between the Station and the advertiser.

#### Section 17

### **AGENCY AND CANDIDATE COMMISSIONS**

The Station customarily provides a fifteen percent (15%) discount for advertising purchases made by an advertising agency. Political candidates and authorized campaign committees who purchase time for a “use” during the “lowest unit charge” period without an advertising agency will be extended a fifteen percent (15%) discount.

#### Section 18

### **POLITICAL ADVERTISING DURING NEWS PROGRAMS**

We do accept political advertisements during network or local news programming.

#### Section 19

### **PRODUCTION CHARGES**

Charges for the production of political advertising will not exceed comparable production charges made to commercial advertisers. If you are interested in having us produce a political ad, we encourage you to let us know and we will provide you with rate information. In order to prevent the appearance that our Station supports or favors any political candidate, we do not allow our on-the-air talent to appear in any political advertising.

#### Section 20

### **SEPARATION OF COMPETITIVE POLITICAL ADVERTISEMENTS**

The Station’s policy is to attempt, where possible, to separate competitive political advertisements. However, that may not always be possible, and the Station does not promise or warrant that competitive announcements will be separated.

#### Section 21

### **SPONSORSHIP IDENTIFICATION**

All political advertisements must fulfill sponsorship identification requirements established by the FCC. The identification must state that the broadcast is “sponsored,

paid for or furnished by” the identified person on whose behalf the advertising is purchased. All television ads must contain a visual identification in letters equal to or greater than four percent (4%) of the vertical picture height (i.e., no less than 20 scan lines) for a period of not less than four (4) seconds. Should a candidate’s ad not be submitted in sufficient time for a pre-airing review or not contain the proper identification, the Station will add the required material within the announcement. This may result in the content of the advertisement being truncated.

In addition, in order to receive the lowest unit charge during the applicable 45-day/60-day political windows, a candidate for *federal* office must comply with the disclosure requirements described above in Section 3.

Section 22  
**ORDERING DEADLINES**

The Station’s order (and check) deadlines and copy deadlines are as follows:

<b>BROADCAST LOG DAY</b>	<b>Must be to Traffic by:</b>		<b>Copy Deadline</b>
	<b>Order and check deadline</b>		
MONDAY	FRIDAY	12:00PM	2:00PM
TUESDAY	MONDAY	12:00PM	2:00PM
WEDNESDAY	TUESDAY	12:00PM	2:00PM
THURSDAY	WEDNESDAY	12:00PM	2:00PM
FRIDAY	THURSDAY	12:00PM	2:00PM
SATURDAY	THURSDAY	12:00PM	2:00PM
SUNDAY	FRIDAY	12:00PM	2:00PM

The Station’s regular ordering deadlines may be waived, where appropriate, to provide “equal opportunity” to political candidates or to provide federal candidates with “reasonable access.”

Section 23  
**BROADCAST OF POLITICAL ADS ON ELECTION DAY**

It is our policy to broadcast political advertisements on the day of an election.

Section 24  
**WHO TO CONTACT**

Political advertisers interested in ordering time should contact:

Sally Rodgers, National Sales Manager:	<a href="mailto:sbrodgers@hearst.com"><u>sbrodgers@hearst.com</u></a>	717-735-7214
Nancy Tulli, General Sales Manager:	<a href="mailto:ntulli@hearst.com"><u>ntulli@hearst.com</u></a>	717-735-7210

Section 25  
**TAPE SPECIFICATIONS**

To be compatible with the Station's broadcast equipment, videotapes must be in DV Cam broadcast format. Spot announcements may also be delivered to WGAL via DG Systems or Vyvx Services.

Section 26  
**COMMERCIAL AND INSTRUCTION DELIVERY**

Political advertisements, along with written instructions for their use, should be submitted to the station as soon as possible to ensure proper airing. We emphasize that all instructions for airing of facilities are to be in writing. Further, any changes are to be in writing (by email, letter, or FAX) prior to changes being made. Commercials should be received in sufficient time to permit confirmation of compliance with sponsorship identification requirements and with broadcast technical standards.

Instructions should be delivered to:

Traffic Operations Desk  
WGAL-TV  
1300 Columbia Avenue  
Lancaster, PA 17603  
717-735-7230  
717-393-9484 (fax)  
Email: Dwight Smith, Local Traffic Coordinator at [traffic@hearst.com](mailto:traffic@hearst.com)  
and or Sally Rodgers, National Sales Manager at [sbrodgers@hearst.com](mailto:sbrodgers@hearst.com)

To upload a Spot to WGAL TV8:

Website: <ftp.wgalad.com>  
Username: wgalftp  
Password: Cov3rag3! (case-sensitive)

When placing spots on the FTP please notify the following WGAL personnel by email and include the spot title(s), length(s), and resolution(s) (SD/HD):

Dwight Smith (Local Traffic): [traffic@WGAL.com](mailto:traffic@WGAL.com)  
John Simmers (Commercial Coordinator): [jsimmers@hearst.com](mailto:jsimmers@hearst.com)  
Sally Rodgers (National Sales Manager): [sbrodgers@hearst.com](mailto:sbrodgers@hearst.com)

Section 27  
**PAYMENT AND CREDIT POLICY**

The station requires political advertisers to pay for advertising by check or wire transfer at least seven (7) days prior to broadcast. The station does not accept credit cards.

Section 28  
**STATION'S RIGHT TO RECAPTURE TIME**

We reserve the right to cancel or adjust the amount of time sold on the Station to accommodate special program or advertising preemptions, or because of technical difficulties or labor disputes, or for other reasons beyond the control of the Station, or where necessary to enable the Station, pursuant to the Communications Act of 1934, as amended, to satisfy the "equal opportunity" requirements of all legally qualified political candidates and the "reasonable access" requirements of all legally qualified federal political candidates. Where such cancellations or modifications are necessary, advertisers will be advised and rebates, credits, schedule changes or other adjustments will be made as may be appropriate.

Section 29  
**DISCLOSURE STATEMENT IS NOT AN OFFER TO SELL**

This Disclosure Statement does not constitute an offer to sell time, nor is it a contract; rather it is a statement of the policies which this Station, in good faith, attempts to follow in connection with the sale and placement of political broadcast advertising. The terms of any actual sale of time are contained in our sale contract and none of the matters contained in this Disclosure Statement are incorporated by reference in the sale contract.

Section 30  
**NON-DISCRIMINATION IN THE SALE OF ADVERTISING TIME**

WGAL-TV does not discriminate in the sale of advertising time, and we will accept no advertising which is placed with an intent to discriminate on the basis of race or ethnicity. Advertisers and agencies should not purchase air time on this Station for a discriminatory purpose, including but not limited to decisions not to place advertising on particular stations on the basis of race or ethnicity. The Station expects advertisers and agencies, at the time of purchase, to represent and warrant that their purchase complies with this anti-discrimination provision.

Section 31  
**FURTHER INFORMATION**

We will be pleased to provide, upon request, further information about our rates, advertising policies, advertising packages, and advertising plans. We encourage prospective political advertisers to inquire. It is our desire to furnish all appropriate information to those interested in purchasing political advertising on the Station to assist you in communicating your message within our service area.

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