



**2625 S. Memorial Drive
Tulsa, OK 74129
918-388-5245**

**2024 KOKI-TV and KMYT-TV
POLITICAL ADVERTISING POLICY**

PLEASE READ CAREFULLY!!!

**This policy and KOKI-TV and KMYT-TV advertising
rates/programming are subject to change.**

Revised 12/11/2023

ELECTION 2024

INFORMATION CONCERNING POLITICAL ADVERTISING POLICIES OF KOKI-TV and KMYT-TV

The following describes the political advertising policies of KOKI-TV and KMYT-TV, 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 the authorized campaign committees of legally qualified political candidates. To be a “use,” an advertisement or program must include the recognizable voice or image 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”), KOKI-TV and KMYT-TV 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.

This certification must be received before any purchase if the candidate intends to receive statutory lowest unit charge benefits during a Pre-Election Window and should be provided with the first order by the candidate, whether inside the window or prior to the window.

As a general policy, KOKI-TV and KMYT-TV do not guarantee audience delivery for programs. However, KOKI-TV and KMYT-TV do occasionally guarantee the specific audience delivery for some special event programming. As with all advertisers, KOKI-TV and KMYT-TV will negotiate with political advertisers on the same basis as with commercial advertisers with respect to audience delivery. No audience guarantees, with any advertiser, are firm until they have been fully negotiated, including the terms of posting and specifically agreed to by the station in advance.

The following classes of spot announcements, each of which has a separate rate structure and lowest unit charge, are available:

- **Class 2: Non-pre-emptible time.** Spots purchased as non-pre-emptible are not pre-emptible by other advertisers and will air as ordered except in the case of technical malfunction or unforeseen programming changes. In such cases, makegoods will be provided as promptly as possible (before the election) in comparable areas.

- **Class 3:** Commercials bought at these rates have an estimated 75-95% chance of airing, depending on market demand and other factors. These spot announcements may be preempted in favor of other spot announcements with 2 days of advanced notice to the advertiser. Upon receiving notice of the preemption, the advertiser will have the opportunity to increase the price it is willing to pay to avoid preemption or to work with the station to determine an opportunity for making good its spots. Every effort will be made to make good preempted spots purchased for use during the pre-election windows before the election.
- **Class 4:** Commercials bought at these rates have an estimated 40-75% probability of airing, depending on market demand. These spot announcements may be preempted in favor of other spot announcements with advanced notice to advertiser. No class 3 spots will be preempted if there are class 4 spots bought in the exact same time period in the exact same week. If preemptions should occur, the station will give 1 day's notice. After receiving notice, the advertiser can work with the station to schedule a makegood of comparable value or request a rebate of its purchase price for the preempted spots or appropriate credit against future advertising purchases. Every effort will be made to make good preempted spots purchased for use during the pre-election windows before the election.
- **Class 5:** These rates are below the station's effective selling levels. Commercials bought at these rates have an estimated 5-40% probability of airing and are immediately pre-emptible without notice. In addition, upon preemption, the Station will endeavor to offer makegoods in whatever programming is available, which may be time periods of lesser audience value or a different class of time. Notice of preemption or make goods may not be received by such advertisers until the invoice, when a schedule of the make-good advertising or a rebate of an appropriate portion of the advertising purchase price will be provided.

The chance that pre-emptible spots will be pre-empted varies with the demand for time, which depends upon many factors such as the popularity of programs, the number of other advertisers seeking to purchase that particular program, economic conditions, and similar considerations. As a result, the clearance potential of particular classes and types of spots cannot be predicted in advance with complete accuracy. Inquiry should be made at the time of order as to present estimates of clearance potential of various classes of spots purchased at various rate levels in various programs. These estimates do not guarantee clearance or level of pre-emptibility as demand can vary daily.

Candidates may purchase time at the estimated lowest unit charge or at higher negotiated rates to promote clearance, subject to the issuance of rebates if spots of the same class are sold at a lower rate clear during the same time period.

All commercials and programs are fully commissionable to recognized agencies at 15%. Legally qualified candidates who purchase time in the pre-election window without use of an agency will be able to buy at the lowest unit rate. The agency commission will be added to the lowest unit rate for those candidates buying through an agency that is eligible for a commission.

Program Time – Terms and Conditions

KOKI-TV and KMYT-TV will, on appropriate request and consistent with Federal requirements, make program time available for use by legally qualified Federal candidates. If program time is desired, please contact the station directly for current availability and rates.

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 statutory Pre-Election Windows and 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.

Availabilities

Attached hereto is a description of all programs, dayparts, rotations, and packages generally available and purchased by commercial advertisers on KOKI-TV and KMYT-TV. The estimates of the lowest unit charge shown on that schedule are estimates only. Those estimates and the rates shown are subject to change with market conditions and actual clearances. Spots may also be purchased at different lengths than 30 seconds; the pricing for such spots generally is as follows:

10-second spots are 50% of the 30-second rate

15-second spots are 65% of the 30-second rate

60-second spots are 200% of the 30-second rate.

“Billboard” or program sponsorship arrangements or “IDs” are not available to political advertisers inside or outside of the pre-election window.

Outside of the Pre-Election Window, KOKI-TV and KMYT-TV may negotiate special advertising packages (combinations of spots in various classes or rotations) tailored to the particular needs of individual candidates. KOKI-TV and KMYT-TV 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 during the Pre-Election Window, KOKI-TV and KMYT-TV will take into account the rates for spots which are part of packages sold to commercial advertisers, and candidates will not be required to buy packages on any

single station to receive any discounted value included in such packages, as that value will have been included in determining the lowest unit charge for each class of time on any station.

Both inside and outside the Pre-Election Window, in order to get rates that involve more than one station, candidates will need to buy the packages that are offered. Inside the Pre-Election Window, a candidate need buy only the smallest volume of such spots that is divisible so as to result in whole number of spots on each station (for example, if there is a package where, to get a particular rate, a commercial advertiser needs to buy 10 spots on station A and 20 spots on station B to get that rate, inside the Pre-Election Window, the candidate need only buy 1 spot on station A and 2 spots on station B to get that rate. Outside the Pre-Election Window, a candidate will need to buy the same volume as a commercial advertiser to get the rates available through the package).

Spots sold on networks and other multi-station platforms (e.g., digital platforms) have no effect on the lowest unit charge on any station during the Pre-Election Window. Candidates should contact the network for information about buys on that network.

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

Digital advertising, including the simultaneous streaming of any of our broadcast programs on the Internet, is not subject to the rules and regulations of the FCC. All rates, both inside and outside the Pre-Election Window, are quoted for the broadcast program only. If simultaneous Internet streaming is requested by the candidate, an additional charge will apply for the that streaming and will be invoiced separately. That charge will be added, in the Pre-Election Window, to the unit charge.

Make-Goods

To the extent noted above, KOKI-TV and KMYT-TV will provide “make-goods” prior to the election for candidate spots purchased for airing during the Pre-Election Window which are preempted because of the nature of the time purchased and will make every effort to provide a make-good in programming of comparable value, except in connection with the time purchased in Class 5 advertising. KOKI-TV and KMYT-TV cannot guarantee any advertiser that make-goods will be provided in the time period originally ordered. Except to the extent noted above, if inventory constraints preclude identical scheduling, KOKI-TV and KMYT-TV will offer make-goods of comparable value, or, if the candidate prefers, will issue credits or rebates.

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, KOKI-TV and KMYT-TV will take account of rates for spots which are sold as part of packages.

Current estimates of the lowest unit charge and chances of preemptibility can be provided. Because determination of the lowest unit charge cannot be made until after all time has aired in a specific week and because the rate levels at which time will clear vary with market demand, KOKI-TV and KMYT-TV cannot guarantee its estimates of the LUC or of the preemptibility of various classes of or rates for time. All such estimates are subject to change with current market developments. Candidates should inquire at the time of order as to current estimates of the LUC and pre-emptibility.

On a weekly basis, KOKI-TV and KMYT-TV will review purchases of advertising by commercial and political advertisers. If that review indicates that political candidates are entitled to rebates in order to comply with federal requirements, every effort will be made to issue rebates (or, at the candidate's option, credits) within ten (10) days and, to the extent possible, prior to the election.

Ordering Procedures

All political advertisers are asked to execute the attached "Acknowledgment of Political Broadcasting Policies of Stations KOKI-TV and KMYT-TV."

Payment in full is due at the time of the order except that, for federal candidates, payment will be made at least one week before the schedule is to start or the schedule will be cancelled.

Exceptions may be made for candidates or agencies (which accept payment responsibility in writing) with an established credit history, consistent with KOKI-TV's and KMYT-TV's policy with respect to similarly situated commercial advertisers. No scheduled time will be considered firm until KOKI-TV and/or KMYT-TV have/has confirmed and accepted the order and payment is received. All payments must be made by ACH, check, or money order. All non-candidate 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. Candidate's authorized campaign committees must provide the name of their Treasurer.

KOKI-TV and KMYT-TV reserve 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 KOKI-TV or KMYT-TV, 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 KOKI-TV and KMYT-TV two (2) working days in advance of broadcast to ensure compliance with sponsorship identification requirements, KOKI-TV's and KMYT-TV's technical standards and the provisions of this policy.

KOKI-TV and KMYT-TV will allow candidates to purchase time on Election Day.

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.” Such sponsorship identification must be visual, must last at least four seconds, and must use letters which are all at least 4% vertical picture height. If an announcement or program does not include the required sponsorship identification, KOKI-TV and KMYT-TV may 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 the lowest unit charge, all advertisements that refer to opposing candidates must contain a printed statement that is displayed with a candidate picture. The printed statement must identify 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 Federal Communications Commission [“FCC”] has adopted rules and policies to implement the requirements of the Communications Act of 1934, with respect to the sale of advertising time to political candidates and asserted its exclusive jurisdiction to enforce the Act. Complaints concerning the sale of political advertising by the Stations should therefore be filed with the FCC. 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/>.

Please contact Burkes Young, Sales Manager, at (918) 388-5245 if you have any questions concerning the political advertising policies or rates of the station.

CERTIFICATION

I am a candidate for the federal office listed below. Pursuant to 47 U.S.C. § 315(b), I hereby certify that neither I nor any of my authorized committees have or will make a direct reference to another candidate for the federal office listed below unless such reference meets the requirements of 47 U.S.C. § 315(b)(2)(C) of the Communications Act as amended by the Bipartisan Campaign Reform Act of 2002.

I certify under penalty of perjury that this certification is accurate as of the date hereof.

Candidate Name (printed)

Federal Office

Authorized Campaign Committee (printed)
(if signing for the Candidate)

Signature

Date:

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If I am an agent acting on behalf of a candidate, I certify that I have made full disclosure to the candidate of the information provided to me by KOKI-TV and KMYT-TV concerning its political advertising policies, and, if not, that I have been specifically authorized by the candidate to purchase advertising on his or her behalf without the need to make such full disclosure. I further represent that I am authorized by all candidates on whose behalf I purchase time to agree to the terms and conditions set forth herein.

By: _____

On Behalf of: _____

Date: _____