

2019-2020

KCTV/KSMO

Political Advertising Guidelines – Sales Policies

The following sets forth the policies and practices of Station regarding the sale of political time for “uses” by legally qualified candidates. To be a “use” an advertisement must be purchased by or on behalf of a candidate and must contain the candidate’s identifiable voice or picture. Candidates may be asked to demonstrate that they are legally qualified. Additionally, all candidates for federal office must comply with the requirements of the Bipartisan Campaign Reform Act of 2002 as they may be applicable at the time a candidate advertisement airs.

The following guidelines are not applicable to advertisements aired by political action committees or to non-candidate, “issue” advertising.

I. Political Broadcast Rates in “Pre-Election Periods”

During “Pre-Election Periods,” which are the periods 45-days prior to primary elections and 60-days prior to general elections, Station will sell all advertising time for “uses” by legally qualified candidates for public office on the same terms and conditions as are available to its most favored commercial advertisers, including making this time available at its lowest unit charge for the particular class and amount of time purchased to run in a specific program, daypart or rotation in the same week. **However, 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 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 during a Pre-Election Period if the candidate intends to receive statutory lowest unit charge benefits and should be provided with the first order whenever possible.**

Candidates may purchase time at the estimated lowest unit charge.

1. Rates:

- a. Rates fluctuate on a weekly or daily basis according to the class of time ordered. The classes of time offered on Station are described on the attached sheet entitled “Station Classes of Time.” Quoted rates on the attached rate sheet are for 30-second ads, unless otherwise noted.
- b. Each separate class of time is offered to candidates at its lowest unit charge, the lowest clearing rate of the particular class of time ordered by the candidate for the time period when the ad is broadcast.
- c. One non-preemptible class and two preemptible classes are available. The more expensive the preemptible class, the lower the likelihood of preemption.
- d. Other classes of time with no guarantee of clearance and no guarantee of make goods are also available. Our Station is happy to work with candidates on any of these. Please consult the Station for more information.

- e. The factors affecting rates set out below (in connection with the Comparable Rate Period) are equally pertinent to the rate structure of our Station during the Pre-Election Period, except that during the Pre-Election Period uses are guaranteed the lowest unit charge.
2. **Rebates:** On a weekly basis, the Station will review purchases of advertising by commercial and political advertisers. In the event advertising time for a particular class and for a particular time period is broadcast at rates lower than the rate paid by the candidate, the candidate will be afforded the benefit of the lower rate either by way of a rebate or as credit against future purchases, at the option of the candidate. In calculating the lowest unit charge, Station will take account of rates for spots which are sold as part of packages. Current estimates of the lowest unit charges and chances of preemption are attached. However, because determination of the lowest unit charge cannot be made until after all time has aired in a particular week, and because the rate levels at which time will clear vary with market demand, Station cannot guarantee its estimates of the lowest unit charge or of the preemptibility of various classes of time until after all applicable logs have been posted.
 3. **Make goods:** Station will use its best effort to provide "make good" spots prior to the election for the spots that are preempted due to technical problems, program changes, or because of the nature of the time purchased. Although Station's policy is to offer all candidates make goods before the election, it cannot guarantee to any advertiser that the make goods can be provided in the time period or rotation originally ordered. If inventory constraints preclude such identical scheduling, Station will offer make goods of equivalent value. If these are not available or acceptable to the advertiser, Station will provide credits or refunds for preempted spots.
 4. **Rotations:** Ads may be purchased individually or in designed rotations around several designated days or time periods. Rate structures for all preemptible broad rotators are available upon request. The Station will, on appropriate request and consistent with applicable federal requirements, make program time available for use by legally qualified federal political candidates. If program time is desired, please contact the Station directly for current availability and rates.
 5. **Availability:** Candidates should be aware that, unless a contrary result is demanded by statutory requirements, orders for the purchase of time made after 12:00 noon on the Thursday preceding Election Day may be reasonably incapable of being filled due to lack of availabilities. The earlier an order is placed, the greater the scheduling options will be.
 6. **Credit:** Advance orders for schedules of political advertising will be subject to reconfirmation 30 days preceding start of schedule. Political candidates or their agencies may qualify for credit, consistent with the normal credit policies of the Station, if they have an established credit history and accept payment responsibility in writing. Unless credit is extended, political orders will require cash in advance. Where cash in advance is specified Station may, at its discretion, cancel scheduled announcements up to 72 hours prior to their scheduled airing if payment for those announcements is not received by the Station.

II. Political Broadcast Rates Outside Pre-Election Periods

The portion of the year outside the 45-day pre-primary and 60-day pre-general-election lowest unit charge periods is referred to as the "Comparable Rate Period." During the Comparable Rate Period, advertising sold to legally qualified candidates for public office by Station will be at charges comparable to the charges made to other advertisers for comparable advertising.

1. Factors Affecting Rates: Most advertising on Station is sold at negotiated rates. When an advertiser requests information concerning availabilities, our normal practice is to provide initial rate quotations such as those set forth on the attached sheet. Using these initial rate quotes as a point of departure, individual contracts with advertisers are negotiated at rates that may vary for any given program or daypart according to various factors. Such factors may include but are not limited to:
 - a. The class of spot ordered.
 - b. The total volume of advertising ordered by a particular advertiser.
 - c. The percentage of an advertiser's total advertising budget for our market that is allotted to our Station.
 - d. The degree of flexibility our Station is afforded in preempting spots in heavy demand periods or in moving spots to different days or times.
 - e. The extent to which spots are ordered to run in broad dayparts or on any one of several days, as contracted with spots ordered to run at fixed times on specific days or in narrowly defined dayparts.
 - f. Our projected total demand for spots by all advertisers (including political and advocacy advertising), and the Station's spot inventory we project for the times an advertiser seeks to have its spots broadcast.
 - g. Whether the acceptance of a particular order will require preemption of previously scheduled spots of other advertisers.

2. The factors listed above will affect the price of advertising sold to the candidates in the Comparable Rate Period to the same extent as the factors affect the price of advertising sold to non-candidate advertisers. We will present rate quotations to candidate advertisers and negotiate time sales with candidate advertisers in the Comparable Rate Period in the same manner as we provide rate quotations to and negotiate with non-candidate advertisers.

3. Make goods: Our policy with respect to make goods for preempted spots purchased at Sections 1 through 3 is to use our best efforts to provide make goods at times acceptable to the advertiser involved. To the extent inventory constraints prevent us from offering make goods acceptable to the advertiser, or if the advertiser purchases a lower class of time, the advertiser is not charged for any preempted spots. As in the Pre-Election Period, political advertisers will be credited or refunded for preempted spots.

III. General Policies Applicable Inside and Outside the Pre-Election Periods

1. Candidate Access: Reasonable access to advertising on Station will be provided to all federal candidates. Station, however, reserves the right to limit or eliminate candidate advertising from one or more newscasts.
2. Candidates may try to book commercials in specific dayparts or programs on specific days. However if the advertiser books multiple day or broad rotations, the Station reserves the right to move an announcement in the same daypart and program to another day within the week without prior notice. Station does not guarantee separation by office or party or state of candidacy.
3. Sponsorship Identification: All ads must comply with the visual identification requirements of Section 317 of the Communications Act and the FCC's policies. All political uses must include a sponsorship identification which fully and accurately identifies the organization or individual which has paid for the commercial. Such identification must be visual, must last at least four seconds, and must use letters which are at least 4 percent of the vertical picture height (20 scan lines). Should ads not include proper identification, Station reserves the right to add the proper appropriate material without providing additional time. Production costs will be billed at Station's usual rates.

Station expects all federal candidates to comply with the requirements of the Bipartisan Campaign Reform Act of 2002 as they may be applicable at the time a candidate advertisement airs. 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. For a federal candidate to receive 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.

4. Orders: Station requires 48 hours to book or schedule. Orders for political time will not be considered firm until the following have been provided:
 - a. Completed and signed NAB political form (PB18).
 - b. A completed Political Inquiry Record, which provides detail regarding the purchasing agent and sponsoring group (corporation, committee, association, or other incorporated group, a list of the entities' chief executive officers, chief executive committee or board of directors).
 - c. When doubt exists, Station may require satisfactory proof that the candidate is "legally qualified," as that term is defined by the FCC.
 - d. When doubt exists, Station may require satisfactory proof that the purchaser is authorized to buy time for the candidate.
 - e. Commercial facilities (tape, film, slides, or copy), along with written instructions for their use, should be submitted to the 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 to Station by letter, fax, or telegram prior to the changes being made. Film or tape should be received in sufficient time to permit confirmation of compliance with sponsorship identification requirements and with broadcast technical standards. Please note, delivery dates do not include Saturdays, Sundays, or Holidays. Station does not provide weekend sales to commercial clients; therefore, the Station Sales and Traffic Departments will not accommodate any traffic instruction or tape changes as noted below:

Station commercial copy guidelines:

2pm Friday CST – for Sunday's log
2pm Friday CST - for Monday's log
2pm Monday CST – for Tuesday's log
2pm Tuesday CST – for Wednesday's log
2pm Wednesday CST – for Thursday's log
2pm Thursday CST- for Friday's log
2pm Thursday CST- for Saturday's log

In the event of a holiday, the deadline for the log will change. Please contact Station. These deadlines were selected to coincide with the printing of our logs based on the computer entry of the relevant data.

- f. 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, money order or credit card. Schedules will not be placed in system until payment arrangements have been finalized, with credit approved or payment in hand.
5. Production: Station facilities may be utilized for the production of political announcements or programs, subject to available production time. (Rates will be provided upon request.)
6. Availabilities:
- a. Legally qualified candidates may purchase time on the attached rate chart subject to availabilities. The base availability for Sections 1 through 3 is a 30-second ad (including sponsorship identification). Other types of time for Sections 1 through 3 are available in other lengths of 10-, 15-, 60-, 90-, or 120- seconds. Rates should generally be determined as follows:

120-second rates = Four times the 30- second rate.
 90-second rates = Three times the 30-second rate.
 60-second rates = Double the 30-second rate.
 15-second rates = 65% the 30-second rate.

10 second rates = 50% the 30-second rate.
Bookends = the 30s rate.

- b. Station will place all orders as to day and time, subject to availabilities. Due to potential "equal opportunities" obligations for opposing candidates, certain time periods may be unavailable for candidates.
 - c. Request for program time, including lengths of 30 minutes and one hour, will be considered on an individual basis.
 - d. 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.
7. 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.

The Station's political public file is available online at www.fcc.gov

For further information, please call:

GSM- Seth Rosenthal (913) 677-7157

Other information you may find useful:

Fax number: (913) 677-7140

Station:
4500 Shawnee Mission Parkway
Fairway, KS 66205

Station Classes of Time

Section 1.

Non-preemptible – This class of time is non-preemptible once an order is confirmed, except for an act of God, national or local emergency or scheduling changes. In the event of a program schedule change, timely notification and make goods are guaranteed.

Section 2.

Preemptible with notice– This class of time is the less likely of the preemptible classes, and advance notice of preemption will be provided. Should a preemption occur, a make good will be offered by Station pursuant to our policy on make goods described on page 3 unless all commercial time has been sold out at the Section 1 Level. Approximate clearance percentage: 76-90%.

Section 3.

Immediately Preemptible —This is our most common transaction. Make goods are usual and may not place in same programs. Notice may not occur before an announcement being preempted. Preemption will occur when all immediately preemptable time has been sold and a commercial or political advertiser books a schedule at a higher section level. If preemption occurs, a make good will be offered by Station pursuant to our policy on make goods described on page 3 unless all commercial time has been sold out at the Section 1 through 3. Approximate clearance percentage: 0-75%.

Station will, on request, update inquiries as to the likelihood of preemption for Sections 1 through 3 at any given time, but Station emphasizes that the responses can only be good faith estimates.

All Rates are subject to change. Special Rotations, Packages and ROS Rates are available. Contact Station for additional or updated information.

Name Sub. [Handwritten Signature]
Company KCTU / KSMO
Title All
Campaigns/Candidates Represented 1/2/2019
Date

STATION DOES NOT DISCRIMINATE BASED UPON RACE OR ETHNICITY IN ANY OF ITS ADVERTISING CONTRACTS OR POLICIES