



## Information Concerning Political Advertising Policies of Television Stations KXLY-TV/MeTV, Spokane, Washington

The following describes the political advertising policies of stations KXLY-TV/MeTV, Spokane, Washington, adopted in compliance with the 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 a positive, recognizable voice or image of a candidate. Candidates may be asked to demonstrate that they are legally qualified.

### **Spot Announcements – Terms and Conditions**

During the 45 days before a primary election and the 60 days 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 their most favored commercial advertisers.

The following classes of spot announcements, each of which has a separate rate structure and lowest unit charge, are available: The attached rate card shows current estimates of the lowest unit charge for each class.

### **Fixed Position/Non-Preemptible Spots (P1)**

These are given the highest priority at the station and will not be preempted by rate. The station reserves the right to limit the amount of inventory any one commercial advertiser reserves at the fixed price; sales of fixed position time or use by legally qualified political candidates are subject to the obligation to comply with the federal equal opportunities and reasonable access requirements. Should the broadcast schedule change due to the unexpected program changes or in the event of technical difficulties, we ensure that the spot will be repositioned as the highest priority as soon as possible.

### **Preemptible With Advance Notice Spots (P2)**

These spots are sold on a demand basis. Advertisers will be notified before their spots are preempted. As the cost of a preemptible spot for any specific daypart increases, so does its general level of nonpreemptibility. Prices are subject to negotiation and political candidates may negotiate intermediate rate levels on the same basis as commercial advertisers, subject to rebates in order to comply with the federal requirements. There is an estimated 60-70% chance that spots in this class will run as ordered. This estimate is based on annual experience and the chances that time purchased at particular rate levels will air as ordered depend upon numerous factors, including demand within the marketplace, particular program ordered and rate paid. If a political advertisement purchased to air during the Pre-Election Window is preempted, make-goods will be offered within 24 hours. These makegoods provided before the election, if at all possible, and every effort will be made to provide a make-good in the same program or daypart purchased. If this is not possible, we will offer make-goods in a similar daypart or dayparts of roughly comparable value.

### **Preemptible Without Advance Notice Spots (P3)**

These spots are sold on a demand basis. Advertisers will not be notified before their spots are preempted. As the cost of a preemptible spot for any specific daypart increases, so does its general level of nonpreemptibility. Prices are subject to negotiation and political candidates may negotiate intermediate rate levels on the same basis as commercial advertisers, subject to rebates in order to comply with the federal requirements. There is an estimated 40-45% chance that spots in this class will run as ordered. This estimate is based on annual experience and the chances that time purchased at particular rate levels will air as ordered depend upon numerous factors, including demand within the marketplace, particular program ordered and rate paid. If a political advertisement purchased to air during the Pre-Election Window is preempted, make-goods will be offered within 24-72 hours. These makegoods will be provided before the election, if at all possible, and every effort will be made to provide a make-good in the same program or daypart purchased. If this is not possible, we will offer make-goods in a similar daypart or dayparts of roughly comparable value.

#### **Immediately Preemptible Without Notice Spots (P4)**

These spots are the last ones placed on the broadcast log after other higher-priced spots and station news, promotion and public affairs initiatives have been assigned. They are the first ones to be pulled as market conditions demand. There is a possibility that Immediately Preemptible spots will not run in many dayparts. This is especially the case in the most programs (4:30am – 11:35pm). An exception to this would be in late fringe programs (11:37pm – 4:30am), which carry a lower risk of preemption. Commercial advertisers are not guaranteed make-goods for this class of time, and receive make-goods only if the station has time available and after all make-goods have been granted for Fixed position/Non-Preemptible Spots, Preemptible With Advance Notice spots, and Preemptible Without Advance Notice spots. Candidates should inquire at the time of their order as to current estimates that time will run as ordered.

All estimates of preemptibility are based on annual experience and the chances that time purchases in particular classes at particular rate levels will air as ordered depend upon numerous factors including demand within the marketplace, particular program ordered and rate paid. Candidates should inquire at the time of their order as to current estimates concerning the preemptibility of Immediate Preemptible Without Notice, and Preemptible Without Advance Notice spots, and Preemptible With Advance Notice spots.

Upon request, the station may make available rotations. Such rotations have a high degree of preemptibility. Candidates interested in purchasing rotations rather than specific programs should inquire concerning details as to availability, rates, preemptibility and similar matters. Spots are not sold based on audience guarantees.

Consistent with the station's normal business practices, rates may be adjusted as necessary on a weekly basis throughout the Pre-Election Windows.

Commercials and programs are commissionable to all political candidates at 15%. Candidates who purchase time without use of an agency will be extended a 15% discount.

#### **Program time – Terms and Conditions**

The station will, on appropriate request and consistent with applicable federal requirements, make program time available for use by federal political candidates. If program time is desired, please contact the station directly for current availability and rates.

#### **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 and candidates thus do not need to purchase entire packages to gain the advantage of package pricing. On a weekly basis, the station will review the purchase of advertising by commercial and political advertisers. If that review indicates that advertising time in a particular class and time period was sold to a political candidate at a rate lower than the rate paid candidate, the candidate will be offered a rebate in order to comply with federal requirements. Every effort will be made to issue rebates (or, at the candidate's option, credits) within one week to the extent possible prior to the election.

#### **Ordering Procedures**

All political candidates are required to sign and date the bottom of this document as acknowledgement of Political Broadcasting Policies of Stations KXLY-TV/MeTV.

Payment in full is due at time of the order but not more than one week before the schedule is to start. No scheduled time will be considered firm until the station has accepted and confirmed the order and payment is received. All payments must be made by check, cash or money order. Exceptions may be made for candidates or agencies (which accept responsibility in writing) with an established credit history consistent with the station's policy with respect to similarly situated commercial advertisers. All political advertisers must provide information concerning the identity of individuals who are paying for the advertisement, including the identity of its chief executive officers or members of its executive committee or board of directors.

All advertising contracts, production and production materials should arrive at the station at least forty-eight 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. On pre-election weekends station personnel will not be accessible for changes of copy. Cancellations must be received by the station in writing at least two weeks in advance.

**Sponsorship Identification**

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% of vertical picture height. 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.

**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 unity rate for time purchased for the use outside 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 sale 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.

**Recapture of Spots**

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

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.

**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.

**Other Matters**

The station maintains a public inspection file at 500 W. Boone Ave, Spokane, WA, which includes certain required information concerning political advertising. This file is available for public inspection and copying during normal business hours.

Please contact Debbie Sieverding at (509) 329-4202 if you have any questions concerning the political advertising policies or rates of the station. This policy and the rates set forth on the station's attached rate card are subject to change.

Acknowledgement of Political Broadcasting Policies of Stations KXLY-TV/MeTV:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

4/29/2016