



KFDA CBS 10 – KEYU Telemundo – KZBZ Independent TV – QFDA – MeTV - NewsChannel10.com

Effective as of: January 1, 2020

1. Applicability

This policy describes the political advertising policies of KFDA Media adopted in compliance with the requirements, rules and regulations of the Federal Communications Commission. These policies apply to purchases of advertising time for “uses” by legally-qualified candidates for public office (i.e., spots which feature the candidate’s recognizable voice or likeness and are controlled, sponsored or approved by the candidate or the candidate’s authorized committee). These policies do not apply to third-party ads, such as those purchased by political action committees, political parties, or issue advertisers.

2. Access

Reasonable access will be provided to all Federal candidates. The Station may sell time to legally qualified candidates in certain state and local races. In order to comply with its equal opportunities obligations, the Station reserves the right to limit the amount of time made available for candidates for state or local races. The Station does not separate competitive political advertisements. Thus, a candidate’s spots may be aired “back-to-back” with their opponent’s spots.

3. Classes of Time

The Station offers the following classes of time. All rates quoted are for 30-second spots, other length spots (:60), (:15) may be available upon request.

Level 1 – Fixed (non-preemptible). These spots are guaranteed to air at the scheduled time or during a set time period, except in the event of unforeseen program changes or technical difficulties.

Level 2 – Preemptible with 24 hours notice. These spots can be preempted by Level 1 spots with 24 hours’ notice to the purchaser. These spots can be preempted by Level 1 spots or by spots purchased at a higher rate within the same level and class of time.

KFDA MEDIA will give its best “good faith” assessment of the likelihood of preemption at the time of the request for any particular rate level requested. Once the notice deadline has passed, spots of this class will air, subject to unforeseen program changes, buyer error in purchasing too many spots in one time period or technical difficulties. Make good offers will be given.

Based on its experience, Station management currently estimates that Level 2 spots will be preempted approximately fifteen to twenty percent (15-20%) of the time; provided, however, that in certain key Time Periods and/or Programs, the risk of preemption may be substantially greater.

Level 3 – Preemptible with 48 hours notice. These spots can be preempted by Level 1, Level 2 or by spots purchased at a higher rate within the same level and class of time with no notice to the purchaser. Make good offers will be given. Once the notice deadline has passed, spots of this class will air, subject to unforeseen program changes or technical difficulties. Make good offers will be given.

Level 4 – Preemptible with no notice. These spots can be preempted by Level 1, Level 2 or Level 3 spots or by spots purchased at a higher rate within the same level and class of time with no notice to the purchaser. Station will endeavor to give make good offers.

Run-of-Schedule. These spots are cleared and scheduled to fill unsold inventory and are subject to preemption for an advertiser purchasing time in any of the classes described above. No makegoods are available for spots purchased in this class; instead, the advertiser will receive a credit if any ordered spots are not aired within the flight dates.

Other Class of Time, Special Programs. Other classes of time, special program spots (sporting events, annual entertainment events), or packages may be available. Rates for these spots are available upon request.

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4. Lowest Unit Rate

The lowest unit charge is the lowest rate paid for the same class, time-period and amount of time that clears. The station will provide its lowest unit rate to legally qualified candidates and their authorized committees for candidate-authorized uses in the pre-election period 45 days before a primary election and 60 days before a general or special election. Outside of the 45-days and 60-days periods before primary and general elections, the Station will sell time to candidates at the current effective selling rate for comparable commercial advertisers.

Current estimates of the lowest unit charge and probability of preemption are included on the attached rate card. Because we cannot determine lowest unit charge until all time has aired in a particular week and because the rate levels at which time will clear vary with market demand, the Station cannot guarantee estimates of the lowest unit charge or of the preemption likelihood of a particular class of time. All such estimates are subject to the demand and supply of current market conditions.

5. Rebates

If a lower priced spot clears in the same class and time-period, the station will rebate the difference to the candidate. The station reviews its records on a weekly basis. Candidates will be given the option of receiving a credit toward future purchases or receiving a rebate.

6. Make Goods

If the class of time purchased includes a right to make goods, the station will make every effort to provide timely and appropriate make goods. If the station is unable to provide make goods, a rebate will be provided.

7. Sponsorship ID

All political advertisements must contain sponsorship identification that complies with Section 73.1212 of the FCC's rules and with applicable federal and state election laws. Such sponsorship ID must fully and accurately identify the organization or individual that has paid for the spot using the terms "paid for by" or "sponsored by."

Section 73.1212 requires political spots to contain visual sponsorship identification in letters not less than 4% of total picture height broadcast for not less than four seconds. The station will add the required sponsorship identification to any spots not containing it and will charge candidates for production costs in doing so on the same basis as would be applicable to commercial advertisers. **THE STATION WILL NOT ADD TIME TO THE LENGTH OF A SPOT TO ACCOMMODATE SPONSORSHIP IDENTIFICATION.**

Additionally, advertisements for federal candidates must also include a statement that identifies the candidate and states that he or she approved the communication. The candidate must convey the statement either through an unobscured full-screen view while identifying themselves and making the required statement, or by including a voice-over in which the candidate identifies himself and makes the required statement while a clearly identifiable photographic or similar image – which must occupy at least 80% of the vertical screen height – appears on screen. If the spot makes a direct reference to another candidate for the same office, then the end of the spot must include a similar statement in writing. The written statement must appear in letters no smaller than 4% of the vertical picture height and must remain on screen for a period of at least four seconds. The written statement should also state the name of the person or entity that sponsored or paid for the spot.

8. Sponsorship ID and LUC for Federal Candidates

In compliance with Bipartisan Campaign Reform Act of 2002 (“BCRA”), a federal candidate is only eligible to receive the station’s lowest unit rate if the candidate or the candidate’s authorized committee, certifies to the Station that the proposed political advertisement will not make a direct reference to an opponent candidate unless the spot complies with the enhanced disclosure requirements of BCRA. The enhanced BCRA disclosure requirement requires that the spot contain a clearly identifiable photo or image of the candidate, and a clearly readable statement that identifies the candidate, states that he or she approved the broadcast, and that his or her authorized committee paid for the spot. If a federal candidate does not provide the required certification or does not comply with the enhanced disclosure requirements, he or she is not entitled to receive the station’s lowest unit rate for the remainder of the time leading up to the election for that office.

9. Agency Commission. The Station provides 15% discount for ad buys made by an advertising agency. Political candidates and authorized campaign committees who purchase time without an advertising agency will receive a 15% discount.

10. Placing an Order. Orders for time will not be considered firm, until the Station has received the following:

- A complete, accurate and signed NAB PB-18 Form (or all information required by this form);
- Proof that a candidate is legally qualified;
- Proof that a purchaser is a candidate’s authorized committee; and
- Advance payment for ordered time.

11. Traffic Deadlines.

In order to ensure sufficient time to conduct pre-broadcast review of spots, candidates must respect the following order deadlines.

LOG FOR

ORDER DEADLINES

FACILITIES DEADLINES

Monday	Friday 11:00am	Friday 11:00am
Tuesday	Monday 1:00pm	Monday 1:00pm
Wednesday	Tuesday 1:00pm	Tuesday 1:00pm
Thursday	Wednesday 1:00pm	Wednesday 1:00pm
Friday	Thursday 1:00pm	Thursday 1:00pm
Saturday	Thursday 1:00pm	Thursday 1:00pm
Sunday	Friday 11:00am	Friday 11:00am

12. Station Access/Production.

The Station will permit federal candidates (but not state and local candidates) to change and edit copy outside of regular business hours on the weekend before the election. Contact the station for more specifics.

The Station may make production facilities available for political advertisements and programs. Production charges are handled separately from time charges. Contact Brian Bledsoe at CBS7 for information and rates.

13. Election Day Schedules. The Station will air political ads on Election Day until 6:30pm central time. All requests for Election Day availabilities must be received by close of business on the Tuesday prior to the election.

14. Public File. The Station maintains an online political file. Information in this file can be found at <https://publicfiles.fcc.gov/>.

15. Non-Discrimination. Stations licensed to Gray Television do not discriminate in the sale of advertising time, and will accept no advertising which is placed with intent to discriminate on the basis of race or ethnicity. The parties to an agreement for the sale of advertising time on a station licensed to Gray Television affirm that nothing in that agreement will discriminate in any way on the basis of race or ethnicity.