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June 25, 2014

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**CONFIDENTIAL ENFORCEMENT BUREAU RESPONSE
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BY HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Attention:
Dana E. Leavitt, Special Counsel
Investigations and Hearings Division
Enforcement Bureau
Room 4-C330

**Re: Station KLAC(AM), Los Angeles, CA
File No. EB-IHD-1400015600
FCC Letter of Inquiry (May 19, 2014)**

Dear Ms. Dortch:

Enclosed herewith, on behalf of AMFM Broadcasting Licenses, LLC, the licensee of the above-referenced station, is its response to the Commission's letter dated May 19, 2014.

Please stamp and return the enclosed copy of this filing designated for that purpose. Should there be any questions, please contact the undersigned.

Respectfully Submitted,

Ari Meltzer

cc: Kenneth M. Scheibel, Jr. (Room 4-C330), Kenneth.Scheibel@fcc.gov
Jeffrey J. Gee (Room 4-C330), Jeffrey.Gee@fcc.gov



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Filed By Hand and By E-Mail

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
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Attention: Dana E. Leavitt, Special Counsel
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Re: Station KLAC(AM), Los Angeles, CA
File No. EB-IHD-1400015600
FCC Letter of Inquiry (May 19, 2014)

Dear Ms. Leavitt:

AMFM Broadcasting Licenses, LLC ("AMFM"), the licensee of AM radio station KLAC(AM), Los Angeles, California (Facility ID 59958), hereby responds to the above-referenced letter of inquiry dated May 19, 2014 (the "LOI") concerning compliance with 47 U.S.C. § 325(a) and 47 C.F.R. §§ 11.45 & 73.1217 by AMFM in connection with a commercial advertisement for Kingsford Charcoal. Capitalized terms used herein have the same meaning as in the LOI.

The Station did *not* Broadcast the EAS codes or Attention Signal, or a recording or simulation thereof, as part of the Promotion. In fact, AMFM's diligence likely prevented a number of other broadcasters in Southern California from Broadcasting a version of the Promotion that arguably included a simulation of the EAS codes or Attention Signal. As detailed below, the Promotion was part of an advertising campaign for Kingsford Charcoal. Upon review of the initial version of the advertisement from the client, Station personnel immediately identified the possibility that a sound contained therein could be found to simulate the EAS codes or Attention Signal. As a result, the Station never Broadcast this version of the advertisement as part of the Promotion. Instead, Station personnel promptly took corrective action that resulted in the Broadcast of a revised version of the advertisement, which included sounds that were significantly different from, and could not reasonably be mistaken for, the EAS codes or Attention Signal. Accordingly, there is no valid basis for Commission action, and the Complaint should be dismissed. A contrary finding (that the sounds that the Station Broadcast as part of the Promotion constitute a simulation of the EAS codes or Attention Signal)

would reflect an impermissibly vague interpretation of the Commission's rules and would raise constitutional concerns.

I. FACTUAL BACKGROUND

On February 4, 2014, Marisa Marsango of Omnicom Media Group submitted an order on behalf of The Clorox Company, manufacturer of Kingsford Charcoal, for the purchase of a sequence of advertising spots to be Broadcast by the Station between March 5, 2014 and March 23, 2014 (the "Order"). *See* Declaration of John Montesana (attached as **Exhibit A** hereto) ("Montesana Decl.") ¶ 2. The Order included an estimated number of spots ranging across a nineteen day period that included the dates on which the Promotion was Broadcast. *Id.* ¶ 3.

On or about February 24, 2014, the Station received an e-mail from the Extreme Reach system indicating that the two spots to be included in the upcoming Promotion (the "Original Promotion Spots") were available for download and providing the corresponding traffic instructions. *See* Declaration of Ann Delgado (attached as **Exhibit B** hereto) ("Delgado Decl.") ¶ 2. Production Director Robert Show downloaded the Original Promotion Spots from the Extreme Reach website. Declaration of Robert Show (attached as **Exhibit C** hereto) ("Show Decl.") ¶ 2. Each of the Original Promotion Spots included two instances of a buzzing sound, with each instance consisting of two short buzzes. *Id.* ¶ 3.

Mr. Show was concerned that sounds contained within the Original Promotion Spots could be deemed to simulate an EAS Code or Attention Signal, and immediately sent an e-mail to Senior Vice President of Programming Andrew Jeffries, Commercial Producer Tony Sanchez, and Production Director Mike Schaefer asking whether "the opening sound in the attached spot sounds too much like beginning of an EAS test?" *See* Show Decl. ¶ 4. The Licensee immediately took action to ensure that the Station did not Broadcast the Original Promotion Spots. Specifically, Mr. Montesana sent an e-mail to the client representative, Marisa Marsango, indicating that the sound in the spots "sounds too much like a EAS (emergency alert system) and cant [*sic*] air as one of our commercials." *See* Montesana Decl. ¶ 5. According to an e-mail from the advertising agency, it appears that the Station was one of only two stations that initially flagged the Promotion as possibly containing a simulation of the EAS codes or Attention Signal. *Id.* ¶ 8.

On or about March 4, 2014, Catherine Cotaco, content traffic manager at advertising agency DDB sent a revised version of the spots to the Station. Delgado Decl. ¶ 4. However, the Licensee again determined that it could not Broadcast the spots provided by the advertising agency. *See* Show Decl. ¶ 5. Rather than wait for another revision from the client, the Licensee undertook to alter the spots to replace the questionable sound with a sound that the Licensee reasonably determined would not be confused with the EAS codes or Attention Signal. *Id.* ¶ 6. The Station also rescheduled the times for the Promotion to ensure that it did not Broadcast the Original Promotion

Spots. *See* Declaration of Rosaura Davalos (attached as **Exhibit D** hereto) (“Davalos Decl.”) ¶ 2.

The new versions produced by the Licensee replaced the two instances of the buzzing sound in each of the Original Promotion Spots with a sound that Mr. Show created in the 660 Hz frequency range (the “Replacement Sound”). Show Decl. ¶ 7. Mr. Show did not use any portion of the EAS codes or Attention signal to create the Replacement Sound. *Id.* ¶ 8. After the Station made a few minor edits at the suggestion of the client, the client approved the modified spots with the Replacement Sound (the “Revised Spots”). *See* Mentesana Decl. ¶ 6. The Licensee began Broadcasting the Promotion, with the Revised Spots, the evening of March 5, 2014. *See* Davalos Decl. ¶ 3.

On or about March 5, 2014, after the station had flagged the issue with the Original Promotion Spots and produced the Revised Spots, the Station received an alert from the Southern California Broadcasters Association pertaining to the Original Promotion Spots. *See* Mentesana Decl. ¶ 7.

II. THE STATION’S BROADCAST OF THE PROMOTION DID NOT CONSTITUTE A TRANSMISSION OF THE EAS CODES OR ATTENTION SIGNAL OF A RECORDING OR SIMULATION THEREOF

The Promotion, as Broadcast by the Station using the Revised Spots, fully complied with 47 U.S.C. § 325(a), and 47 C.F.R. §§ 11.45 and 73.1217. Section 325(a) of the Communications Act prohibits the transmission of “any false or fraudulent signal of distress, or communication relating thereto.” Under Section 11.45 of the Commission’s rules, meanwhile, “[n]o person may transmit or cause to transmit the EAS codes or Attention Signal, or a recording or simulation thereof, in any circumstance other than in an actual National, State or Local Area emergency or authorized test of the EAS.”

The Promotion did not include any portion of the EAS codes or Attention Signal. The Replacement Sound that the Station used in the Revised Spots was created by Mr. Show using a tone in the 660 Hz range. *See* Show Decl. ¶ 7. Mr. Show did not use any portion of the EAS codes or Attention signal to create the Replacement Sound. *Id.* ¶ 8.

Nor was the Replacement Sound used in the Revised Spots a simulation of the EAS codes or Attention Signal. A simulation is “an assumption of an appearance that is feigned, false, or deceptive.”¹ The Replacement Sound did not “assume an appearance” of an EAS code or Attention Signal. The EAS protocol calls for the transmission of three consecutive EAS codes, separated by a one second pause, followed by the transmission of 8 to 25 seconds of Attention Signal.² By rule, “the Preamble and the EAS Codes must use Audio Frequency Shift Keying at a rate of 520.83 bits per second” with mark

¹ Black’s Law Dictionary 1418 (8th Ed. 2004); *see also* Turner Broad. Sys., Inc., Notice of Apparent Liability for Forfeiture, 29 FCC Rcd. 00752 ¶ 7 & n.29 (“Turner II”)

² 47 C.F.R. § 11.31(c).

frequency of 2083.3 Hz, space frequency of 1562.5 Hz, and mark and space time of 1.92 milliseconds.³ Moreover, the FCC's rules state that "[t]he Attention Signal must be made up of the fundamental frequencies of 853 and 960 Hz . . . transmitted simultaneously . . . after the EAS header codes."⁴ As explained in the attached Engineering Statement of Joseph M. Davis, P.E. ("Davis Engineering Statement"), the Revised Spots included a steady 659 Hz tone lasting 0.82 seconds, then 0.21 seconds of silence, then a repeat of the steady 659 Hz tone lasting 0.82 seconds. *See Exhibit E*. The same sequence occurred near the end of each of the Revised Spots. *Id.* After reviewing the Revised Spots, Mr. Davis concluded that "[t]he steady 659 Hz tone on the [Revised Spots] is not associated with or similar to the EAS tone signals." *Id.*

Further, the Replacement Sound was not "feigned, false, or deceptive." In *Turner II*, the Commission determined that a "simulation . . . contemplates the transmission of sounds that mimic or are substantially similar to the sounds made by the transmission of EAS codes or the EAS Attention Signal."⁵ In that case, Turner "was unable to determine the nature or source of the 'sound effect' used in the audio portion of the advertisement" broadcast on the Adult Swim Network. Nevertheless, the Commission found that because the sounds were "substantially similar to the sounds made by the transmission of actual EAS codes such that an average audience member would reasonably mistake the sounds for the sounds made by actual EAS codes," they constituted a simulation under the FCC's Rules.⁶ Similarly, in *Turner I*, the Commission compared the "dual tone sound" used in a *Conan* promotion with "the single tone sound typically used in bars and tone test patterns," finding that the former simulated the EAS Attention Signal.⁷

In contrast to the two *Turner* cases, the Replacement Sound that the Station Broadcast in the Promotion was not substantially similar to the sounds made by the EAS codes or Attention Signal. As demonstrated above, there are substantial differences between the tones used and the EAS codes or Attention Signal. In fact, the Licensee chose the Replacement Sound because, in contrast to the sound in the Original Promotion Spots, the Licensee did not, in its reasonable discretion, believe that the Replacement Sound could reasonably be mistaken for sounds made by the actual EAS codes or the EAS Attention Signal. *See Show Decl.* ¶ 9. Mr. Davis confirmed that, in his opinion, "there should be no confusion of a steady 659 Hz tone with the EAS FSK data burst or the Attention Signal." *See Davis Engineering Statement*. Accordingly, the Promotion was entirely consistent with 47 U.S.C. § 325(a) and 47 C.F.R. § 11.45.

Nor did the Promotion constitute a hoax. Under Section 73.1217, a "hoax" is only actionable if: (1) it includes "false information concerning a crime or a catastrophe";

³ 47 C.F.R. § 11.31(a)(1).

⁴ 47 C.F.R. § 11.31(a)(2).

⁵ *Turner II* at ¶ 7.

⁶ *Id.* at ¶ 5.

⁷ *See Turner Broad. Sys., Inc., Notice of Apparent Liability for Forfeiture*, 28 FCC Rcd. 15455 ¶ 8 (EB 2013).

(2) the licensee knows that the information is false; (3) it is foreseeable that broadcast of the information will cause substantial public harm; and (4) broadcast of the information does in fact directly cause substantial public harm.⁸ The public harm must begin immediately, cause direct and actual damage to property, and the licensee must expect with a significant degree of certainty that the public harm would occur.⁹ Thus, the Commission has recognized that licensees can be held liable for violating the hoax rule “only when they know the report to be false and can foresee that the report will, and does in fact, result in substantial public harm.” *See Amendment of Part 73 Regarding Broadcast Hoaxes, Report and Order*, 7 FCC Rcd. 4106 ¶ 9 (1992). The Promotion, as Broadcast by the Station, did not include any false information concerning a crime or catastrophe. Given that the information contained in the promotion was truthful and concerned grilling conditions, not a crime or catastrophe, there was no basis for the Licensee to foresee that it would result in substantial harm, and it did not result in substantial public harm. Accordingly, the Promotion did not violate 47 C.F.R. § 73.1217.

III. ANY INTERPETATION OF THE FCC’S RULES THAT WOULD ENGULF THE PROMOTION RAISES CONSTITUTIONAL CONCERNS

Given the lack of similarity between the Replacement Sound and the EAS codes or Attention Signal, any finding that the Replacement Sound violated the Commission’s rules raises significant due process concerns and would intrude upon the Licensee’s reasonable exercise of editorial discretion.

A legal requirement is generally considered to be void for vagueness in violation of the Fifth Amendment if it “forbids or requires the doing of an act in terms so vague that [persons] of common intelligence must necessarily guess at its meaning and differ as to its application,”¹⁰ or if the statute’s language “may authorize and even encourage arbitrary and discriminatory enforcement.”¹¹ These concerns are especially acute in the First Amendment area. As the Supreme Court has explained, “where a vague statute abuts upon sensitive areas of basic First Amendment freedoms, it operates to inhibit the exercise of [those] freedoms.”¹² For this reason, the Supreme Court applies a stricter vagueness standard to statutes that encroach upon First Amendment freedoms.¹³

⁸ 47 C.F.R. § 73.1217.

⁹ *See* Note to 47 C.F.R. § 73.1217.

¹⁰ *Connally v. General Constr. Co.*, 269 U.S. 385, 391 (1926); *see Fox Television Stations, Inc. v. FCC*, 613 F.3d 317, 327 (2d Cir. 2010).

¹¹ *City of Chicago v. Morales*, 527 U.S. 41, 56 (1999).

¹² *Grayned v. City of Rockford*, 408 U.S. 104, 109 (1972) (alterations and internal quotation marks omitted).

¹³ *See Hoffman Estates v. Flipside, Hoffman Estates*, 455 U.S. 489, 499 (1982) (“[P]erhaps the most important factor affecting the clarity that the Constitution demands of a law is whether it threatens to inhibit the exercise of constitutionally protected rights. If, for example, the law interferes with the right of free speech or of association, a more stringent vagueness test should apply.”). Even outside of the First Amendment context, the D.C. Circuit has long held that “[t]raditional concepts of due process incorporated into administrative law preclude an agency from penalizing a private party for violating a rule without first providing adequate notice of the substance of the rule.” *Satellite Broad. Co. v. FCC*, 824 F.2d 1, 3 (D.C.

Before the Commission can enforce a policy that interferes with free speech rights of broadcasters, it must provide “sufficient notice of what is proscribed.”¹⁴ While Sections 11.45 and 73.1217 of the FCC’s Rules and Section 325(a) of the Act extend to actual use or simulations of the EAS codes or Attention Signal, the rule cannot reasonably be construed (nor does precedent suggest it be construed) to extend to *any* type of sound designed to “alert” listeners. Certainly, here, the Licensee did not have fair notice that the Commission interprets the rule so as to prohibit the broadcast of sounds that differ substantially from those used in an actual EAS test, simply because they are associated with some kind of listener alert.

If anything, the material that the Station Broadcast as part of the Promotion was ridiculous, hyperbolic, and humorous. The ad included statements such as “Backyard barbecuers should take caution before donning aprons containing graphics like ‘You Got A Beef With Me’ or ‘Nice Rack – of ribs’” and “Asparagus and zucchini are at considerable risk for overcooking.” It would be readily apparent to any reasonable listener that the Promotion was satire, as evidenced by the fact that the Complaint does not contain any indication that the Broadcast of the Promotion caused public harm, and AMFM is not aware of any such public harm. For the Commission to penalize the Licensee for the broadcast of sounds that, as explained above, *differed clearly from those utilized in an actual EAS test*, would conflict with the additional First Amendment protections afforded to parody.¹⁵

* * *

Based on my personal knowledge and the attached documents, AMFM responds to the specific questions contained in the LOI as follows:

Inquiry 1. State whether the Station Broadcast the Promotion.

Yes, the Station did Broadcast the Promotion, which consisted of two separate advertising spots identified as RCXKC4612 and RCXKC4613. *See* Davalos Decl. ¶ 3.

If so:

a. Provide all dates and times of such Broadcast(s).

The Station Broadcast the Promotion at the following dates and times:

RCXKC4612 (7806696-001)

Cir. 1987); *see also* *Gen. Elec. Co. v. EPA*, 53 F.3d 1324, 1328-29 (D.C. Cir. 1995). This follows the Supreme Court’s well-settled mandate that “[e]lementary considerations of fairness dictate that individuals should have an opportunity to know what the law is and to conform their conduct accordingly.” *Landgraf v. USI Film Prods.*, 511 U.S. 244, 266 (1994).

¹⁴ *F.C.C. v. Fox Television Stations, Inc.*, 132 S. Ct. 2307, 2317 (2012).

¹⁵ *See Cliff Notes, Inc. v. Bantam Doubleday Pub. Group, Inc.*, 886 F.2d 490, 493 (2d Cir. 1989)

RCXKC4612 (7806696-001)	
March 5, 2014	18:43:03 20:50:38
March 6, 2014	12:00:12 14:38:25
March 7, 2014	07:03:32 07:58:15 11:33:01 13:16:15 14:55:20 16:50:15 18:14:55

RCXKC4613 (7806695-001)	
March 5, 2014	17:52:49 19:43:05
March 6, 2014	08:02:19 11:33:46 13:08:34 16:03:01
March 7, 2014	07:39:33 12:00:56 14:16:29 16:00:22 17:46:28 18:45:10

See Davalos Decl. ¶ 4 & **Exhibit L**.

b. Provide a recording and transcript of such Broadcast(s).

Recordings of the two advertising spots that comprised the Promotion and transcripts thereof are included as tracks 1 and 2 on the compact disc attached as **Exhibit I**.

A transcript of the Spot Id No. RCXKC4612 is attached hereto as **Exhibit J**.

A transcript of the Spot Id No. RCXKC4613 is attached hereto as **Exhibit K**.

c. Provide all other Documents related to such Broadcast(s).

The following documents attached hereto are related to the Station's Broadcast of the Promotion.

Declaration of John Montesana	Exhibit A
Declaration of Ann Delgado	Exhibit B
Declaration of Robert Show	Exhibit C

Declaration of Rosaura Davalos	Exhibit D
Engineering Statement of Joseph M. Davis, P.E.	Exhibit E
Declaration of Andrew Jeffries	Exhibit F
Order for the Promotion (originally entered Feb. 6, 2014; last updated Apr. 26, 2014)	Exhibit G
Extreme Reach spot availability notification (Feb. 24, 2014)	Exhibit H
Audio Recordings <ul style="list-style-type: none"> • Track 1 - Spot RCXKC4612 • Track 2 - Spot RCXKC4613 • Track 3 - Spot RCXKC4601 (original version of the spot that became RCXK4612) • Track 4 - Spot RCXKC4604 (original version of the spot that became RCXK4613) • Track 5 - Digital audio recording of the EAS test conducted by the station on May 30, 2014 	Exhibit I
Transcript of Spot RCXKC4612	Exhibit J
Transcript of Spot RCXKC4613	Exhibit K
NexGen Spot Frequency Report (02/02/2014 through 04/01/2014) – Edited to Include Instances of the Promotion (“NexGen Report (abbreviated)”)	Exhibit L
Internal e-mail exchange reflecting initial concerns about the Original Promotion Spots	Exhibit M
E-mail exchange dated February 28, 2014 between Mr. Montesana and Ms. Marsango	Exhibit N
E-mail exchange from March 3, 2014 through March 4, 2014 reflecting concerns about the Original Promotion Spots	Exhibit O
Email exchange dated March 4, 2014 regarding edits to the Original Promotion Spots and Station’s efforts to reschedule the Promotion	Exhibit P
E-mail dated March 4, 2014 containing traffic instructions for Revised Spots	Exhibit Q
March 5, 2014 Notice from Southern California Broadcast Association regarding Original Promotion Spots	Exhibit R
March 5, 2014 e-mail exchange regarding SCBA notice and Station’s response to the Promotion	Exhibit S

Inquiry 2. If the response to Inquiry 1, above, is "yes," state whether the Station Broadcast any portion of an EAS code or Attention Signal, or a recording or simulation thereof in connection with the Promotion Broadcast on any of the dates and times provided in your response to Inquiry 1.a.

No, the station did not broadcast any portion of an EAS code or Attention Signal, or a recording or simulation thereof in connection with the Promotion Broadcast on any of the dates and times provided in response to Inquiry 1.a.

The Promotion did not include any portion of the EAS codes or Attention Signal. The Replacement Sound that the Station used in the Revised Spots was created by Mr. Show using a tone in the 660 Hz range. See Show Decl. ¶ 7. Mr. Show did not use any portion of the EAS codes or Attention Signal to create the Replacement Sound. *Id.* ¶ 8.

Nor was the Replacement Sound used in the Revised Spots a simulation of the EAS codes or Attention Signal. A simulation is "an assumption of an appearance that is feigned, false, or deceptive."¹⁶ The Replacement Sound did not "assume an appearance" of an EAS code or Attention Signal. The EAS protocol calls for the transmission of three consecutive EAS codes, separated by a one second pause, followed by the transmission of 8 to 25 seconds of Attention Signal, followed by the audio, video, or text message, and then three consecutive instances of the End of Message code.¹⁷ By rule, "the Preamble and the EAS Codes must use Audio Frequency Shift Keying at a rate of 520.83 bits per second" with mark frequency of 2083.3 Hz, space frequency of 1562.5 Hz, and mark and space time of 1.92 milliseconds.¹⁸ Moreover, the FCC's rules state that "[t]he Attention Signal must be made up of the fundamental frequencies of 853 and 960 Hz . . . transmitted simultaneously . . . after the EAS header codes."¹⁹ As explained in the attached Engineering Statement of Joseph M. Davis, P.E. ("Davis Engineering Statement"), the Revised Spots included a steady 659 Hz tone lasting 0.82 seconds, then 0.21 seconds of silence, then a repeat of the steady 659 Hz tone lasting 0.82 seconds. See **Exhibit E**. The same sequence occurred near the end of each of the Revised Spots. *Id.* After reviewing the Revised Spots, Mr. Davis concluded that "[t]he steady 659 Hz tone on the [Revised Spots] is not associated with or similar to the EAS tone signals." *Id.*

In *Turner II*, the Commission determined that a "simulation . . . contemplates the transmission of sounds that mimic or are substantially similar to the sounds made by the transmission of EAS codes or the EAS Attention Signal."²⁰ In that case, Turner "was

¹⁶ Black's Law Dictionary 1418 (8th Ed. 2004); see also *Turner Broad. Sys., Inc.*, Notice of Apparent Liability for Forfeiture, 29 FCC Rcd. 00752 ¶ 7 & n.29 ("Turner II")

¹⁷ 47 C.F.R. § 11.31(c).

¹⁸ 47 C.F.R. § 11.31(a)(1).

¹⁹ 47 C.F.R. § 11.31(a)(2).

²⁰ *Turner II* at ¶ 7.

unable to determine the nature or source of the 'sound effect' used in the audio portion of the advertisement" broadcast on the Adult Swim Network. Nevertheless, the Commission found that because the sounds were "substantially similar to the sounds made by the transmission of actual EAS codes such that an average audience member would reasonably mistake the sounds for the sounds made by actual EAS codes," they constituted a simulation under the FCC's Rules.²¹ Similarly, in *Turner I*, the Commission compared the "dual tone sound" used in a *Conan* promotion with "the single tone sound typically used in bars and tone test patterns," finding that the former simulated the EAS Attention Signal.²²

In contrast to the two *Turner* cases, the Replacement Sound that the Station Broadcast in the Promotion was not substantially similar to the sounds made by the EAS codes or Attention Signal. As demonstrated above, there are substantial differences between the tones used and the EAS Codes or the EAS Attention Signal. In fact, the Licensee chose the Replacement Sound because, in contrast to the sound in the Original Promotion Spots, the Licensee did not, in its reasonable discretion, believe that the Replacement Sound could reasonably be mistaken for sounds made by the actual EAS codes or the EAS Attention Signal. See Show Decl. ¶ 9. Mr. Davis confirmed that, in his opinion, "there should be no confusion of a steady 660 Hz tone with the EAS FSK data burst or the Attention Signal."

When considering the factors above, it is evident that the Station did not Broadcast any portion of an EAS code or Attention Signal, or a recording or simulation thereof in connection with the Promotion Broadcast on the dates listed in response to Inquiry 1.

Inquiry 3. If the response to Inquiry 2, above, is "yes," state whether the Station Broadcast the Promotion in connection with an actual national, state, or local emergency or authorized test of the EAS. If so, describe the nature of the national, state, or local emergency or authorized test of the EAS. If not, describe the nature of the Promotion, and explain the purpose for using such EAS sound, tone, code, or simulation thereof.

The response to Inquiry 2 is no. Nevertheless, in the interest of providing a full and complete response, AMFM responds that it did not Broadcast the Promotion in connection with an actual national, state, or local emergency or authorized test of the EAS. See Declaration of Andrew Jeffries (attached as **Exhibit F** hereto) ("Jeffries Decl.") ¶ 4. The Station Broadcast the Promotion as part of a paid advertisement by Kingsford Charcoal. *Id.*

Inquiry 4. If the response to Inquiry 2, above, is "yes," did the EAS code or Attention Signal, or recording or simulation thereof, used in the Promotion differ from the authorized sounds, tones, or codes used by the Station as specified under

²¹ *Id.* at ¶ 5.

²² See *Turner Broad. Sys., Inc.*, Notice of Apparent Liability for Forfeiture, 28 FCC Rd. 15455 ¶ 8 (EB 2013).

the California State EAS plan? If so, explain how. Include a tape or transcript of the sounds, tones, or codes normally used by the Station and a description of the Station's role in the California State EAS plan.

The response to Inquiry 2 is no. Nevertheless, in the interest of providing a full and complete response, AMFM responds that, for the reasons set forth in Inquiry 2, the tone used in the Promotion differed from the authorized sounds, tones, or codes used by the Station as specified under the California State EAS plan.

A digital audio recording of the EAS test conducted by the station on May 30, 2014, is included as track 5 to the compact disc attached hereto as **Exhibit I**.

The Station is a Participating National station under the California State EAS plan. Jeffries Decl. ¶ 2. A copy of the Los Angeles County EAS Plan is attached hereto as **Exhibit T**.

Inquiry 5. Did the Broadcast of the Promotion trigger activation of the EAS equipment at any other station or system that monitors the Station? If so, provide information including any e-mail communications, complaint letters, or any written communications or Documents that the Station received from any other station or system that monitors the Station's EAS alerts.

To the best of the Licensee's knowledge, the Promotion did not trigger activation of the EAS equipment at any other station or system. See Jeffries Decl. ¶ 5.

Inquiry 6. If the response to Inquiry 2, above, is "yes":

- a. **Indicate whether any emergency response was made by federal, state, and/or local law enforcement or other public health and safety authorities as a result of such Broadcast(s), and describe the nature and extent of the resulting emergency response. Provide copies of all Documents that support your response.**
- b. **Indicate whether such Broadcast(s) directly or indirectly caused any reported damage to property or to the health or safety of the general public, and describe the nature and extent of the resulting damage. Provide copies of all Documents that support your response.**

The response to Inquiry 2 is no. Nevertheless, in the interest of providing a full and complete response, AMFM responds that it is not aware of any emergency response as a result of the Broadcasts or of any reported damage to property or to the health or safety of the general public as a direct or indirect result of the Broadcasts. Jeffries Decl. ¶ 6.

Inquiry 7. If the response to Inquiry 2, above, is "yes," and there was no actual emergency or authorized test of the EAS, did the Station, at any time during the course of such Broadcast(s), reveal to its audience that

there was no actual emergency or authorized test of the EAS? Explain fully, providing audio recordings or transcript evidence to support your response.

The response to Inquiry 2 is no. Nevertheless, in the interest of providing a full and complete response, AMFM responds that it was evident from the text of the Promotion that there was no actual emergency or authorized test of the EAS. *See Jeffries Decl. ¶ 7.*

Inquiry 8. If the response to Inquiry 2, above, is "yes," answer whether making, or inducing others to make, a false emergency report is prohibited by law in the Station's community of license, and support your response with citations to relevant authority, if applicable.

The response to Inquiry 2 is no. Nevertheless, in the interest of providing a full and complete response, AMFM responds that it has not conducted the legal analysis necessary to determine whether making, or inducing others to make, a false emergency report is prohibited by law in the Station's community of license. *See Jeffries Decl. ¶ 8.*

Inquiry 9. If the response to Inquiry 2, above, is "yes," answer whether any member of the Station's staff has been criminally or civilly charged regarding the making, or inducing others to make, a false emergency report relating to such Broadcast(s). If so, explain by detailing the specific charges filed, the responsive pleas entered, and/or the respective dispositions, providing specific documentation and citations where appropriate.

The response to Inquiry 2 is no. Nevertheless, in the interest of providing a full and complete response, AMFM responds that, to the best of its knowledge, no member of the Station's staff has been criminally or civilly charged regarding the making, or inducing others to make, a false emergency report relating to the Station's Broadcasts of the Promotion. *See Jeffries Decl. ¶ 9.*

Inquiry 10. Did the Station or Licensee discipline any Person(s) in connection with the Broadcast(s) of the Promotion?

The Licensee does not believe that any discipline is warranted in connection with the Broadcasts of the Promotion and, as such, neither the Station nor the Licensee have disciplined any Persons in connection with the Broadcasts of the Promotion. *See Jeffries Decl. ¶ 10.*

Inquiry 11. Did the Licensee receive any warnings or complaints concerning the Promotion? If so, provide copies of all such written warnings or complaints. If such warnings or complaints were oral, provide written summaries.

On March 5, 2014, after the Station flagged the Promotion and modified the spots to remove any sounds that could possibly simulate an EAS Code or Attention Signal, the Licensee received a warning from the Southern California Broadcasters Association concerning the Original Promotion Spots. *See* Mentasana Decl. ¶ 7 & Exhibits R & S.

Inquiry 12. Identify the Person(s) that produced the Promotion. If the Person that produced the Promotion was not the Licensee, describe how the Licensee received the Promotion and Identify the Person(s) involved.

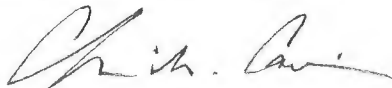
The Original Promotion Spots were produced by advertising agency DDB. *See* Delgado Decl. ¶ 3. Marisa Marsango of Omnicom Media Group purchased the advertising time for the Promotion on behalf of The Clorox Company, manufacturer of Kingsford Charcoal. *See* Mentasana Decl. ¶ 2. On or about February 24, 2014, the Station received an e-mail from the Extreme Reach system indicating that the Original Promotion Spots were available for download and providing the corresponding traffic instructions for those spots. *See* Delgado Decl. ¶ 2. Production Director Robert Show downloaded the Original Promotion Spots from the Extreme Reach website. Show Decl. ¶ 2.

Mr. Show modified the Original Promotion Spots to create the Revised Spots that were Broadcast by the Station. *Id.* ¶¶ 6-9.

Inquiry 13. Did the Licensee review the Promotion before Broadcasting it? If so, Identify the Person(s) who conducted such review and explain what action the Licensee took upon completing such review. If no review was performed, explain why not.

Yes, the Licensee reviewed the Promotion before Broadcasting it, as explained in the above factual background.

Respectfully submitted,



Christopher M. Cain
Associate General Counsel
AMFM Broadcasting Licenses, LLC

cc: Kenneth M. Scheibel, Jr., Assistant Chief
By hand: Room 4-C330
By e-mail: Kenneth.Scheibel@fcc.gov

Jeffrey J. Gee, Deputy Chief
By hand: Room 4-C330
By e-mail: Jeffrey.Gee@fcc.gov

EXHIBIT A

DECLARATION OF JOHN MENTESANA

1. My name is John Mentasana. I am the senior sales manager for Clear Channel Communications, Inc. ("Clear Channel") in Los Angeles, California, which operates radio station KLAC(AM). I am making this Declaration in support of AMFM Broadcasting Licenses LLC's response to the Federal Communications Commission Enforcement Bureau Letter of Inquiry dated May 19, 2014 ("LOI"). I base this Declaration on my personal knowledge and on information available to me in my position at Clear Channel. Capitalized terms used herein have the same meaning as in the LOI.

2. On February 4, 2014, Marisa Marsango of Omnicom Media Group submitted an order on behalf of The Clorox Company, manufacturer of Kingsford Charcoal, for the purchase of a sequence of advertising spots to be Broadcast by the Station between March 5, 2014 and March 23, 2014 (the "Order").

3. The Order included an estimated number of spots ranging across a nineteen day period that included the dates on which the Promotion was Broadcast.

4. On or about February 28, 2014, I received an e-mail from one of our continuity directors, Ann Delgado, advising me that the spots received for the Promotion could not be Broadcast out of concern that a sound contained therein could be found to simulate the EAS codes or Attention Signal.

5. Immediately upon receiving this e-mail from Ms. Delgado, I sent an e-mail Ms. Marsango indicating that the sound in the spots "sounds too much like a EAS (emergency alert system) and cant [*sic*] air as one of our commercials."

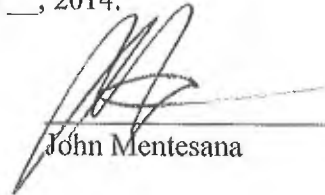
6. Ultimately, Licensee personnel took it upon ourselves to alter the spots to replace the questionable sound with a sound that we deemed appropriate for Broadcast. After making a few minor edits at the suggestion of the client, the client approved the modified spots.

7. On or about March 5, 2014, after we had already flagged the issue with the original spots provided by the client and produced the revised spots, we received an alert from the Southern California Broadcasters Association pertaining to the Promotion.

8. Based on a March 4, 2014 e-mail from Catherine Cotaco of advertising agency DDB, it appears that KLAC was one of only two stations that initially flagged the Promotion as possibly containing a simulation of the EAS codes or Attention Signal.

I hereby declare under penalty of perjury that, to the best of my knowledge, information, and belief, the information contained herein is true and accurate.

Signed in Los Angeles, California, on June __, 2014.



John Montesana

EXHIBIT B

DECLARATION OF ANN DELGADO

1. My name is Ann Delgado. I am a continuity director for Clear Channel Communications, Inc. ("Clear Channel") in Los Angeles, California, which operates radio station KLAC(AM). I am making this Declaration in support of AMFM Broadcasting Licenses LLC's response to the Federal Communications Commission Enforcement Bureau Letter of Inquiry dated May 19, 2014 ("LOI"). I base this Declaration on my personal knowledge and on information available to me in my position at Clear Channel. Capitalized terms used herein have the same meaning as in the LOI.

2. On or about February 24, 2014, I received an e-mail from the Extreme Reach system indicating that the two spots to be included in the upcoming Promotion were available for download and providing the corresponding traffic instructions.

3. The original spots were produced by advertising agency DDB.

4. On or about March 4, 2014, after John Montesana advised the client that we could not Broadcast the original spots, I received an e-mail from Catherine Cotaco, content traffic manager at advertising agency DDB, containing a revised version of the spots.

I hereby declare under penalty of perjury that, to the best of my knowledge, information, and belief, the information contained herein is true and accurate.

Signed in Los Angeles, California, on June ~~20~~, 2014.


Ann Delgado

EXHIBIT C

DECLARATION OF ROBERT SHOW

1. My name is Robert Show. I am a production director for Clear Channel Communications, Inc. ("Clear Channel") in Los Angeles, California, which operates radio station KLAC(AM). I am making this Declaration in support of AMFM Broadcasting Licenses LLC's response to the Federal Communications Commission Enforcement Bureau Letter of Inquiry dated May 19, 2014 ("LOI"). I base this Declaration on my personal knowledge and on information available to me in my position at Clear Channel. Capitalized terms used herein have the same meaning as in the LOI.

2. Soon after the Station received an e-mail from Extreme Reach indicating that the two spots to be included in the upcoming Promotion (the "Original Promotion Spots") were available for download, I downloaded the spots from the Extreme Reach website.

3. Each of the Original Promotion Spots included two instances of a buzzing sound, with each instance consisting of two short buzzes.

4. I was concerned that sounds contained within the Original Promotion Spots could be deemed to simulate an EAS Code or Attention Signal. I immediately sent an e-mail to Senior Vice President of Programming Andrew Jeffries, Commercial Producer Tony Sanchez, and Production Director Mike Schaefer asking whether "the opening sound in the attached spot sounds too much like beginning of an EAS test?"

5. Although the client provided a revised version of the spots, we again determined that the Station could not Broadcast the spots provided by the advertising agency.

6. Rather than wait for another revision from the client, we decided to take it upon ourselves to alter the spots to replace the questionable sound with a sound that we reasonably determined would not be confused with the EAS codes or Attention Signal.

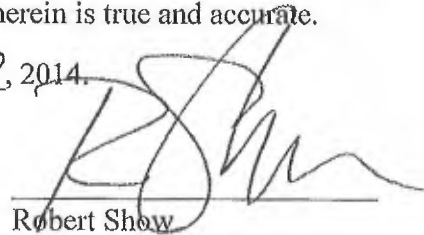
7. To achieve this, I replaced the two instances of the buzzing sound in each of the Original Promotion Spots with a sound that I created in the 660 Hz frequency range (the "Replacement Sound").

8. I did not use any portion of the EAS codes or Attention signal to create the Replacement Sound.

9. As the person who flagged the Original Promotion Spots as potentially sounding too much like the beginning of an EAS alert, I was particularly sensitive to the sounds used in the Promotion. I chose the Replacement Sound because I did not believe that it could reasonably be mistaken for sounds made by the actual EAS codes or the EAS Attention Signal.

I hereby declare under penalty of perjury that, to the best of my knowledge, information, and belief, the information contained herein is true and accurate.

Signed in Los Angeles, California, on June ²⁰ , 2014.



Robert Show

EXHIBIT D

DECLARATION OF ROSAURA DAVALOS

1. My name is Rosaura Davalos. I am a traffic director for Clear Channel Communications, Inc. ("Clear Channel") in Los Angeles, California, which operates radio station KLAC(AM). I am making this Declaration in support of AMFM Broadcasting Licenses LLC's response to the Federal Communications Commission Enforcement Bureau Letter of Inquiry dated May 19, 2014 ("LOI"). I base this Declaration on my personal knowledge and on information available to me in my position at Clear Channel. Capitalized terms used herein have the same meaning as in the LOI.

2. After determining that we could not Broadcast the versions of the Promotion originally provided by the client, we rescheduled the times for the Promotion to ensure that the Station did not broadcast the version containing the sounds at issue.


3. On the evening of March 5, 2014, the Station began broadcasting the revised spots, which replaced the sound at issue with one that we determined was appropriate for Broadcast. The Promotion consisted of two separate advertising spots, identified as RCXKC4612 and RCXKC4613.

4. Between March 5, 2014 and March 7, 2014, the Station Broadcast the Promotion, with the replacement sound, on 23 occasions. Based on my review of data from our NexGen system, these were the only times that the Station Broadcast the Promotion.

5. On March 7, 2014, the client sent revised traffic instructions to the Station directing the Station to immediately replace all instances of the Promotion with three new, unrelated spots.

I hereby declare under penalty of perjury that, to the best of my knowledge, information, and belief, the information contained herein is true and accurate.

Signed in Los Angeles, California, on June 21, 2014.



Rosaura Davalos

EXHIBIT E



ENGINEERING STATEMENT

prepared for
Clear Channel Communications, Inc.

This engineering statement has been prepared on behalf of *Clear Channel Communications, Inc.* regarding an audio tone signal contained within two radio commercials for Kingsford Charcoal. At issue is whether the tone signal is the same as or a simulation of those associated with the Emergency Alert System ("EAS").

The subject radio commercials were provided to the undersigned by way of separate computer files named as follows:

"RCXKC4612+TAG[3].MP3"

"RCXKC4613+TAG.MP3"

Both radio commercials contain two separate instances of a brief steady tone, at each instance the tone is pulsed twice.

Analysis of the steady tone was performed with the aid of a computer program that provides for recording, analysis, and editing of audio material. The tone was determined to be a single frequency of 659 Hz. The radio commercials are of similar composition, with the 659 Hz tone interspersed with dialog as described below.

RCXKC4612+TAG[3].MP3

Total length 60.4 seconds

Begins with a steady 659 Hz tone lasting 0.82 seconds, then 0.21 seconds of silence, then a repeat of the steady 659 Hz tone lasting 0.82 seconds. Dialog follows these opening tones, and at 44.5 seconds from the beginning the opening tones are repeated (a steady 659 Hz tone lasting 0.82 seconds, then 0.21 seconds of silence, then a steady 659 Hz tone lasting 0.82 seconds). More dialog fills the remainder of the radio commercial.

RCXKC4613+TAG.MP3

Total length 60.5 seconds

Begins with a steady 659 Hz tone lasting 0.82 seconds, then 0.21 seconds of silence, then a repeat of the steady 659 Hz tone lasting 0.82 seconds. Dialog follows these opening tones, and at 43.5 seconds from the beginning the opening tones are repeated (a steady 659 Hz tone lasting 0.82 seconds, then 0.21 seconds of silence, then a steady 659 Hz tone lasting 0.82 seconds). More dialog fills the remainder of the radio commercial.

There are two types of tone signals associated with EAS. The first type is a data burst utilizing frequency shift keying ("FSK") and the second type is the Attention Signal. The data burst is described in 47 C.F.R. 11.31(a)(1) as follows:

The Preamble and EAS Codes must use Audio Frequency Shift Keying at a rate of 520.83 bits per second to transmit the codes. Mark frequency is 2083.3 Hz and space frequency is 1562.5 Hz. Mark and space time must be 1.92 milliseconds. Characters are ASCII seven bit characters as defined in ANSI X3.4-1977 ending with an eighth null bit (either 0 or 1) to constitute a full eight-bit byte.

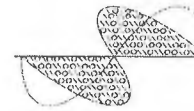
The Attention Signal consists of two simultaneous tones, as described in §11.31(a)(2):

The Attention Signal must be made up of the fundamental frequencies of 853 and 960 Hz. The two tones must be transmitted simultaneously. The Attention Signal must be transmitted after the EAS header codes.

The steady 659 Hz tone on the Kingsford Charcoal commercials is not associated with or similar to the EAS tone signals. A steady 659 Hz tone will not cause a properly operating EAS decoder to be triggered or relay any message. In the opinion of the undersigned, there should be no confusion of a steady 659 Hz tone with the EAS FSK data burst or the Attention Signal. Further, §11.31(c) specifies that the length of the two-tone attention signal must be 8 to 25 seconds, while the actual length of each single-tone segment within the subject radio commercials is 0.82 seconds.

Certification

The undersigned hereby certifies that the foregoing statement was prepared by him and that it is true and correct. Mr. Davis has over 30 years of radio and television engineering experience, is president of Chesapeake RF Consultants LLC, is a Registered Professional Engineer in Virginia, holds a lifetime Professional Broadcast Engineer Certification by the Society of Broadcast Engineers, holds a Bachelor of Science degree from Old Dominion University in Electrical Engineering Technology, and has submitted numerous engineering exhibits to various local governmental authorities and the Federal Communications Commission. His qualifications are a matter of record with that agency. Further, he has served as Chief Engineer and Chief Operator at many broadcast stations during which he personally installed and maintained equipment associated with EAS and the



predecessor Emergency Broadcast System, and is inherently familiar with the operation of those systems.

A handwritten signature in black ink, appearing to read "Joseph M. Davis". The signature is fluid and cursive, with a large, prominent "J" and "D".

Joseph M. Davis, P.E.
June 13, 2014

Chesapeake RF Consultants, LLC
207 Old Dominion Road
Yorktown, VA 23692
703-650-9600

EXHIBIT F

DECLARATION OF ANDREW JEFFRIES

1. My name is Andrew Jeffries. I am the senior vice president of programming for Clear Channel Communications, Inc. ("Clear Channel") in Los Angeles, California, which operates radio station KLAC(AM). I am making this Declaration in support of AMFM Broadcasting Licenses LLC's response to the Federal Communications Commission Enforcement Bureau Letter of Inquiry dated May 19, 2014 ("LOI"). I base this Declaration on my personal knowledge and on information available to me in my position at Clear Channel. Capitalized terms used herein have the same meaning as in the LOI.

2. The Station is a Participating National station under the California State EAS Plan.

3. Between March 5, 2014 and March 7, 2014, the Station Broadcast the Promotion on 23 occasions.

4. The Station's Broadcast of the Promotion was not in connection with an actual national, state, or local emergency or authorized test of the EAS. The Station Broadcast the Promotion as part of a paid advertisement by Kingsford Charcoal.

5. To the best of my knowledge, the Promotion did not trigger activation of the EAS equipment at any other station or system.

6. I am not aware of any emergency response as a result of the Station's Broadcasts of the Promotion or of any reported damage to property or to the health or safety of the general public as a direct or indirect result of the Station's Broadcasts of the Promotion.

7. In my opinion, it was evident from the text of the Promotion that there was no actual emergency or authorized test of the EAS.

8. The Licensee has not conducted the legal analysis necessary to determine whether making, or inducing others to make, a false emergency report is prohibited by law in the Station's community of license.

9. To the best of my knowledge, no member of the Station's staff has been criminally or civilly charged regarding the making, or inducing others to make, a false emergency report relating to the Station's Broadcasts of the Promotion.

10. The Licensee does not believe that any discipline is warranted in connection with the Broadcasts of the Promotion and, as such, neither the Station nor the Licensee have disciplined any Persons in connection with the Broadcasts of the Promotion.

Signed in Los Angeles, California, on June 20, 2014.

 for Clear Channel
Andrew Jeffries

EXHIBIT G



Order Confirmation

Page 1 of 3
Printed: 05/29/2014 15:14:07

CLOROX
c/o OMG
Attn: EMILY BEATTY/CATHY KARASAWA
5353 Grosvenor Blvd

Los Angeles, CA 90066-6913

Advertiser No: 4587 Order No: 238728
Start Date: 03/03/2014 Co-op: No
End Date: 03/23/2014 Package: No
Month Type: Broadcast Agency Comm.: 15%
Revision #: 41
CPE: CLD - KFC - 22
AE: AGY-CERRITO/MENTESANA 2
Entered: 02/06/2014 10:30 AM by Fusion
Last Update: 04/26/2014 11:17 AM by lax1wch
Note: 570/DODGERS/NCAA/CLD/KFC/EST 22
Note 2:
Spl Req Inv:

Market Station	Bind To	Start Date	End Date	No Of Weeks	Rate Rev. Type	Skip W. M T W T F S S	Spots/ W. Length	Ord Spots	Ord Cost
1 Los KLAC-AM	14:00-19:00 Commercial	03/06/14	03/07/14	1	150.00	0 x x x	3 60	3	450.00
					Local Agency-Sales				
2 Los KLAC-AM	06:00-19:00 Commercial	03/06/14	03/09/14	1	0.00	0 x x x x x	5 15	5	0.00
					Local Agency-Sales				
4 Los KLAC-AM	15:30-19:00 Commercial	03/06/14	03/09/14	1	150.00	0 x x x x x	3 60	3	450.00
					Local Agency-Sales				
5 Los LA-DODGE RS	DODGERS Pre/In/Post	03/03/14	03/09/14	1	0.00	0 0 0 1 1 2 1 1	6 60	6	0.00
					Local Agency-Sports 1				
6 Los LA-DODGE RS	DODGERS Pre/In/Post	03/10/14	03/16/14	1	0.00	0 0 0 3 0 0 0 3	6 60	6	0.00
					Local Agency-Sports 1				
7 Los LA-DODGE RS	DODGERS Pre/In/Post	03/17/14	03/23/14	1	0.00	0 0 0 0 0 0 3 2	5 60	5	0.00
					Local Agency-Sports 1				
8 Los LA-DODGE RS	DODGERS Pre/In/Post	03/03/14	03/09/14	1	700.00	0 0 0 3 4 3 4 3	17 60	17	11,900.00
					Local Agency-Sports 1				
9 Los LA-DODGE RS	DODGERS Pre/In/Post	03/10/14	03/16/14	1	700.00	0 0 0 3 0 0 0 4	7 60	7	4,900.00
					Local Agency-Sports 1				
10 Los LA-DODGE RS	DODGERS Pre/In/Post	03/17/14	03/23/14	1	700.00	0 0 0 0 0 0 4 4	8 60	8	5,600.00
					Local Agency-Sports 1				
11 Los LAPXP-KL AC	NCAA Pre/In/Post	03/17/14	03/23/14	1	310.00	0 0 0 0 5 5 5 5	20 60	20	6,200.00
					Local Agency-Sports 1				
12 Los KLAC-AM	06:00-19:00 Commercial	03/06/14	03/09/14	1	100.00	0 x x x x x	8 60	8	800.00
					Local Agency-Sales				
13 Los KLAC-AM	14:00-19:00 Commercial	03/10/14	03/16/14	1	150.00	0 x x x	3 60	3	450.00
					Local Agency-Sales				
14 Los KLAC-AM	06:00-19:00 Commercial	03/10/14	03/16/14	1	0.00	0 x x x x x	5 15	5	0.00
					Local Agency-Sales				
15 Los KLAC-AM	15:30-19:00 Commercial	03/10/14	03/16/14	1	150.00	0 x x x x x	3 60	3	450.00
					Local Agency-Sales				
16 Los KLAC-AM	06:00-19:00 Commercial	03/10/14	03/16/14	1	100.00	0 x x x x x	8 60	8	800.00
					Local Agency-Sales				



Order Confirmation

Page 2 of 3
Printed: 05/29/2014 15:14:07
Order No: 238728

Market Station	Bind To	Start Date	End Date	No Of Weeks	Rate Rev. Type	Skip W. M T W T F S S	Spots/ W.	Spot Length	Ord Spots	Ord Cost
19 Los KLAC-AM	14:00-19:00 Commercial	03/17/14	03/23/14	1	150.00 Local Agency-Sales	0x x x	3	60	3	450.00
20 Los KLAC-AM	06:00-19:00 Commercial	03/17/14	03/23/14	1	0.00 Local Agency-Sales	0x x x x x	5	15	5	0.00
21 Los KLAC-AM	15:30-19:00 Commercial	03/17/14	03/23/14	1	150.00 Local Agency-Sales	0x x x x x	3	60	3	450.00
22 Los KLAC-AM	06:00-19:00 Commercial	03/17/14	03/23/14	1	100.00 Local Agency-Sales	0x x x x x	8	60	8	800.00
23 Los LAPXP-KL AC	NCAA Pre/In/Post	03/21/14	03/21/14	1	0.00 Local Agency-Sports 1	0 0 0 0 0 1 0 0	1	15	0	0.00
3	Cancelled:									
17	Cancelled:									
18	Cancelled:									

Cancel date: 02/12/2014
Cancel date: 02/25/2014
Cancel date: 02/25/2014

No. of Spots/Misc/Digital:	126/0/0	Ordered Gross:	\$33,700.00
		Agency Commission:	\$5,055.00
		Ordered Net:	\$28,645.00
		Total Net Due:	\$28,645.00

	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Amt. Ord.:	127	0	0	0	0	0	0	0	0	0	0	0	0
Gross:	33,700.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Net:	28,645.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

When signed below, this is a contract for advertising on the radio stations named above, made with the owner of those stations, subject to those terms and conditions beginning on the last page of this Order Confirmation. Except when this contract is executed by advertiser itself, it is agreed that advertiser's agency makes this contract both for itself and advertiser.

Accepted for Company: _____

Accepted for Advertiser: _____

Participating Customers

CLOXOX

100%

EXHIBIT H


From: extremereach@extremereach.com [<mailto:extremereach@extremereach.com>]
Sent: Monday, February 24, 2014 22:54
To: Delgado, Ann
Subject: Kingsford Charcoal Traffic Instructions for KLAC-AM



Priority Level:	High
Notification Type:	Traffic Instructions
Delivery Type:	Digital Delivery
Estimated Arrival:	Available Now

Hello,

The following Kingsford Charcoal traffic instructions have been sent to you by Thomas Preciado at Extreme Reach via Extreme Reach. To view the traffic instructions, [click here](#).

 **Important:** By viewing this notification you acknowledge to the advertiser that you have received these traffic instructions. These traffic instructions will remain available for review at any time in your Extreme Reach account. If you have any questions or issues regarding this notification, please contact Extreme Reach Customer Service and Support at 877-769-9382 (toll free) or support@extremereach.com.

Order Information

Order Number:	358142-664378
Trafficked By:	Thomas Preciado at Extreme Reach
Advertiser:	Kingsford Charcoal
Order Date/Time:	2/24/2014 10:53 PM
Campaign Name:	Spot Radio - Estimate 22
Campaign #:	0
Estimate #:	
Comments:	Please contact Extreme Reach at support@extremereach.com or 877-769-9382 if you have any questions regarding this order.
Destinations:	KLAC-AM

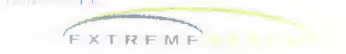
 You can also [LOGIN to your Extreme Reach account](#) to view/download the spots for this order.

Traffic Details

Additional traffic details may be found on the attached document [KFC EST. 22 030314 Spot Radio LOS ANGELES \(1\).docx](#)

Note: If the traffic instructions link above does not work copy-paste the following link into the address bar of your web browser to view the traffic instructions.

<http://app.extremereach.com/Media/Download/68A91111-84BC-4D50-B395-59E998F9AC07>



All dates/times displayed in (UTC-08:00) Pacific Time (US & Canada)
Extreme Reach values your [privacy and security](#). We will not make your email address available to anyone without your permission.

©2014, Extreme Reach, Inc.



RADIO TRAFFIC INSTRUCTIONS

DATE	2/24/14	CLIENT	Clorox
PRODUCT	Kingsford Charcoal	ESTIMATE	22
REVISION	ORIGINAL INSTRUCTIONS		

INSTRUCTIONS FOR THE FOLLOWING MARKET ONLY: **Los Angeles, CA**

Please air the following spot(s) during any/all programs according to your order:

LENGTH	ISCI	TITLE	ROT.	FLIGHT
:53+:07 (LIVE READ)	R-CXKC 4604	Special Advisory Los Angeles + Ralph's Tag Live Read	50%	3/3/14 – 3/23/14
:53+:07 (LIVE READ)	R-CXKC 4601	Burger Alert Los Angeles + Ralph's Tag Live Read	50%	3/3/14 – 3/23/14

:07 LIVE READ:

"Stock up on everything you need to get out and grill, including Kingsford Charcoal at your neighborhood Ralph's. Even more low prices....and fast checkout."

Spot available via email.

Please advise affiliates, the advertiser requests its advertising not be integrated into programs that 1) make gratuitous, graphic, and or exploitive use of sex and violence. 2) Treat ethnic, religious or political groups in a disparaging manner. 3) Present facts inaccurately or distort them to blatantly partisan advantage. 4) Glorify drug use or alcohol consumption. 5) Contain excessive profanity. 6) Contain anything conflicting directly with the proper use of Clorox brands. Tapes should not be shipped to Howard Stern affiliates.

These instructions **do not** constitute an order for time. Questions regarding time purchase or product allocation should be addressed to agency time buyer or station representative. Please confirm the receipt of materials and complete understanding of these instructions by signing and returning duplicate copies of this letter to my attention.

FOR TRAFFIC INQUIRIES CONTACT:
Catherine Cotaco @ 415.732.3649 OR Catherine.Cotaco@DDBCCalifornia.com

EXHIBIT I

See Attached Compact Disc

EXHIBIT J

Spot ID RCXKC412

[Two short beeps]

(female voice)	A burger alert has been issued for
(male voice 1)	Los Angeles, California until 9 p.m. Sunday
(female voice)	Absurdly nice weather is moving through the
(male voice 1)	Los Angeles
(female voice)	Area. Grillers in its path are being warned that long lost friends, casual acquaintances, and some guy named Carl could appear with little to no warning. Afternoons of uninterrupted sunlight and hot temperatures could lead to questionable grilling attire. Backyard barbecuers should take caution before donning aprons with phrases like "You Got A Beef With Me" or "Nice Rack – of ribs". To prepare for extreme nice weather, grillers should stockpile a supply of Kingsford charcoal. In the event your barbecue extends well into the evening, ignite festive tiki torches and contact your butcher for an emergency supply of swordfish, pork ribs, and veggie burgers.

[Two short beeps]

(female voice)	This has been a burger alert. Brought to you by your friends at Kingsford Charcoal. Get out and grill this weekend. Kingsford. Gather round.
(male voice 2)	Stock up on everything you need to get out and grill, including Kingsford Charcoal, at your neighborhood Ralph's. Even more low prices and fast checkout.

EXHIBIT K

Spot ID RCXKC413

[Two short beeps]

(male voice 1) This is a special burger advisory for
(male voice 2) Los Angeles, California
(male voice 1) The national grilling service has issued a special burger advisory effective
until
(male voice 2) 9 p.m. Sunday
(male voice 1) Grillers are urged to stock their fridge with the following items: hot dogs,
Brisket, salmon, and any pork product, including pork shoulder, pork
chops, and ham. Grillers should prepare for extremely pleasant weather.
There is a 90% chance of temperatures between medium rare and well
done by mid-afternoon Saturday. Conditions will be ideal for spontaneous
get-togethers and unexpected backyard soirées to develop throughout the
weekend. Maintain a lively fire fueled with Kingsford Charcoal and
stoked by ice cold beer. Asparagus and zucchini are at considerable risk
for overcooking. Best to coat them with olive oil.

[Two short beeps]

(male voice 1) This has been a burger advisory. Brought to you by your friends at
Kingsford Charcoal. Get out and grill this weekend. Kingsford. Gather
round.
(male voice 3) Stock up on everything you need to get out and grill, including Kingsford
Charcoal, at your neighborhood Ralph's. Even more low prices and fast
checkout.

EXHIBIT L

KLAC SPOT FREQUENCY REPORT

From: 02/02/2014 To: 04/01/2014

Log Date	Log Time	Audio Numbe	Audio Title
Audio Leng	Log Status		
03/05/2014	17:52:49	7806695-001	CLOROX
01:00.952	Played		
03/05/2014	18:43:03	7806696-001	CLOROX
00:58.624	Played		
03/05/2014	19:43:05	7806695-001	CLOROX
00:59.477	Played		
03/05/2014	20:50:38	7806696-001	CLOROX
00:59.574	Played		
03/06/2014	08:02:19	7806695-001	CLOROX
01:00.710	Played		
03/06/2014	11:33:46	7806695-001	CLOROX
00:59.945	Played		
03/06/2014	12:00:12	7806696-001	CLOROX
01:00.500	Played		
03/06/2014	13:08:34	7806695-001	CLOROX
00:58.827	Played		
03/06/2014	14:38:25	7806696-001	CLOROX
00:59.659	Played		
03/06/2014	16:03:01	7806695-001	CLOROX
00:59.738	Played		
03/07/2014	07:03:32	7806696-001	CLOROX
01:00.500	Played		
03/07/2014	07:39:33	7806695-001	CLOROX
01:00.710	Played		
03/07/2014	07:58:15	7806696-001	CLOROX
01:00.500	Played		
03/07/2014	11:33:01	7806696-001	CLOROX
01:00.016	Played		
03/07/2014	12:00:56	7806695-001	CLOROX
01:00.710	Played		
03/07/2014	13:16:15	7806696-001	CLOROX
00:58.624	Played		

03/07/2014 14:16:29 7806695-001 CLOROX
01:00.017 Played

03/07/2014 14:55:20 7806696-001 CLOROX
00:59.804 Played

03/07/2014 16:00:22 7806695-001 CLOROX
01:00.710 Played

03/07/2014 16:50:15 7806696-001 CLOROX
01:00.500 Played

03/07/2014 17:46:28 7806695-001 CLOROX
01:00.710 Played

03/07/2014 18:14:55 7806696-001 CLOROX
01:00.500 Played

03/07/2014 18:45:10 7806695-001 CLOROX
01:00.710 Played

EXHIBIT M

Meltzer, Ari

From: Mentesana, John <JohnMentesana@clearchannel.com>
Sent: Friday, February 28, 2014 1:07 PM
To: Delgado, Ann; Soquet, Stacy; Houser, William
Cc: James, Nick; Show, Robert; SANCHEZ, TONY
Subject: RE: SFX at beginning of spot

just listened....Not sure if i should get under my desk or go throw a burger on the barbie.!!!

From: Delgado, Ann
Sent: Friday, February 28, 2014 10:03 AM
To: Soquet, Stacy; Mentesana, John; Houser, William
Cc: JAMES, NICK; Show, Robert; SANCHEZ, TONY
Subject: RE: SFX at beginning of spot

Thanks

Ann Delgado | A-K Continuity Director
Clear Channel Media + Entertainment
O: 818.566.4506 | F: 818.260.9069
3400 W. Olive Ave Suite 550 | Burbank | California | 91505

KIIS FM | HOT 92.3 | KOST 103.5 | 104.3 MYFM | 98.7 FM
KFI AM 640 | AM570 FOX Sports LA | KEIB AM 1150



Clear Channel Media and Entertainment, with its 239 million monthly U.S. listeners, is the leading media company in America with a greater reach than any radio, digital or television outlet.

From: Soquet, Stacy
Sent: Friday, February 28, 2014 10:03
To: Delgado, Ann; Mentesana, John; Houser, William
Cc: JAMES, NICK
Subject: RE: SFX at beginning of spot

John is emailing the agency... the lines don't start until Wednesday. We'll let you know!

Best,

Stacy Soquet

From: Delgado, Ann
Sent: Friday, February 28, 2014 9:58 AM
To: Delgado, Ann; Mentesana, John; Houser, William; Soquet, Stacy
Cc: JAMES, NICK
Subject: RE: SFX at beginning of spot

Attached is one of the spots

Ann Delgado | A-K Continuity Director
Clear Channel Media + Entertainment
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From: Delgado, Ann
Sent: Friday, February 28, 2014 09:54
To: Montesana, John; Houser, William; Soquet, Stacy
Cc: JAMES, NICK
Subject: FW: SFX at beginning of spot

Please read below.. spot sounds too much like a EAS test and can't air as one of our commercials.. please advise asap.

Ann Delgado | A-K Continuity Director
Clear Channel Media + Entertainment
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Clear Channel Media and Entertainment, with its 239 million monthly U.S. listeners, is the leading media company in America with a greater reach than any radio, digital or television outlet.

From: SCHAEFER, MIKE
Sent: Thursday, February 27, 2014 20:10
To: Jeffries, Andrew; SANCHEZ, TONY
Cc: Show, Robert; Hajek, Julie; Delgado, Ann; Bertolucci, Robin
Subject: Re: SFX at beginning of spot

Thank you, Rob!

From: Jeffries, Andrew
Sent: Thursday, February 27, 2014 07:36 PM
To: SANCHEZ, TONY
Cc: Show, Robert; SCHAEFER, MIKE; Hajek, Julie; Delgado, Ann
Subject: Re: SFX at beginning of spot

Thx!!

Typing on my iPhone is like learning a second language.

On Feb 27, 2014, at 6:49 PM, "SANCHEZ, TONY" <TonySanchez@ClearChannel.com> wrote:

Good catch Rob.. best we be safe with this until we figure it out. ..

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Show, Robert"

Date: 02/27/2014 6:28 PM (GMT-08:00)

To: "SANCHEZ, TONY" , "Jeffries, Andrew" , "SCHAEFER, MIKE"

Cc: "Hajek, Julie" , "Delgado, Ann"

Subject: RE: SFX at beginning of spot

This is for a CLOROX account that will run on KLAC and during Dodger games. That's about all I know. I cc'd Julie but I should have cc'd Ann Delgado.

I'll make sure she finds out about first thing in the morning so we can resolve this.

Thanks, Tony!

From: SANCHEZ, TONY

Sent: Thursday, February 27, 2014 6:25 PM

To: Show, Robert; Jeffries, Andrew; SCHAEFER, MIKE

Cc: Hajek, Julie

Subject: RE: SFX at beginning of spot

Yes, I agree it does..we need to look into this further.
What account is this for?

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Show, Robert"

Date: 02/27/2014 5:55 PM (GMT-08:00)

To: "Jeffries, Andrew" , "SANCHEZ, TONY" , "SCHAEFER, MIKE"

Cc: "Hajek, Julie"

Subject: SFX at beginning of spot

Just tossing this out there to whomever wants to field it. Does anyone think the opening sound in the attached spot sounds too much like beginning of an EAS test?

I know this issue came up recently so I thought I'd be extra careful with this.

Please chime in with your thoughts. The spot (and one other with the same sound) is scheduled to start Monday, 3/3.

Thanks!

r.

EXHIBIT N

Meltzer, Ari

From: Mentesana, John <JohnMentesana@clearchannel.com>
Sent: Friday, February 28, 2014 5:40 PM
To: Marisa Marsango
Cc: Sean Miller; Houser, William
Subject: RE: clorox-kingsford..URGENT

Thanks

----- Original message -----

From: Marisa Marsango
Date: 02/28/2014 2:37 PM (GMT-08:00)
To: "Mentesana, John"
Cc: Sean Miller, "Houser, William"
Subject: Re: clorox-kingsford..URGENT

They are getting another spot

Sent from my iPhone

> On Feb 28, 2014, at 10:04 AM, "Mentesana, John" <JohnMentesana@clearchannel.com> wrote:
>
> hey there,
>
> i was just informed that we have a problem with the creative they sent. Spot sounds too much like a EAS (emergency alert system) and cant air as one of our commercials
>
> spots start Wednesday and i think you are closed today
>
>
>
>
> <http://www.fcc.gov/guides/emergency-alert-system-eas>
> <RCXKC4601.mp3>

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EXHIBIT O

From: Davalos, Nina
Sent: Tuesday, March 04, 2014 12:27 PM
To: SANCHEZ, TONY; Montesana, John; Show, Robert; Delgado, Ann
Cc: Self, Chris; Houser, William; LA - Traffic Managers
Subject: RE: CLOROX

Thank you. Please keep us posted in case we need to move them off.

From: SANCHEZ, TONY
Sent: Tuesday, March 04, 2014 12:19 PM
To: Montesana, John; Show, Robert; Delgado, Ann; Davalos, Nina
Cc: Self, Chris; Houser, William
Subject: RE: CLOROX

Thanks John... Great job Rob.. they work for me .. Burger anyone =)

• **Anthony Sanchez** / Production Director
Clear Channel Media + Entertainment
O: 818.566 4856 Cell 626 826 5669
3400 W. Olive Ave Suite 550 | Burbank | California | 91505

**104.3 MYFM | KIIS FM | HOT 92.3 | KOST 103.5 | ALT 98.7
KFI AM 640 | AM570 FOX Sports LA | KEIB AM 1150**

• **Clear Channel Media and Entertainment, with its 245 million monthly U.S. listeners, is the leading media company in America with a greater reach than any radio, digital or television outlet.**

From: Montesana, John
Sent: Tuesday, March 04, 2014 12:18 PM
To: SANCHEZ, TONY; Show, Robert; Delgado, Ann; Davalos, Nina
Cc: Self, Chris; Houser, William
Subject: RE: CLOROX

he edited it and i passed it on to see if we can get approval for them...hold please

From: SANCHEZ, TONY
Sent: Tuesday, March 04, 2014 12:15 PM
To: Show, Robert; Delgado, Ann; Davalos, Nina
Cc: Self, Chris; Montesana, John
Subject: RE: CLOROX

Nina Chris

Rob Show encounter a problem with 2 Clorox spots last week that had an EAS sounding SFX in them and per POC we brought it to the AE's attention and the agency revised the spot. In listening to them

there's still a problem with the sfx they're using... I spoke with Beata and John Montesana about it and come up with a solution that might work. Rob Show currently working on it now and once done He'll send off for approval. We're under the gun since this spot is scheduled to start tomorrow hopefully well have approval soon since we will be unable to air as is.

- **Anthony Sanchez** / Production Director
Clear Channel Media + Entertainment
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3400 W. Olive Ave Suite 550 | Burbank | California | 91505

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- **KFI AM 640 | AM570 FOX Sports LA | KEIB AM 1150**

- **Clear Channel Media and Entertainment, with its 245 million monthly U.S. listeners, is the leading media company in America with a greater reach than any radio, digital or television outlet.**

From: Show, Robert
Sent: Tuesday, March 04, 2014 11:29 AM
To: SANCHEZ, TONY
Subject: FW: CLOROX

Hey Tony. The FX on the spots have been changed. I feel this sound is acceptable but wanted to run it past you first.

Thanks!

From: Delgado, Ann
Sent: Monday, March 03, 2014 5:18 PM
To: Montesana, John; Houser, William
Cc: Show, Robert
Subject: CLOROX

Rob, revised spots attached.
John, will they be sending revised traffic instructions?

Ann Delgado | A-K Continuity Director
Clear Channel Media + Entertainment
O: 818.566.4506 | F: 818.260.9069
3400 W. Olive Ave Suite 550 | Burbank | California | 91505

KIIS FM | HOT 92.3 | KOST 103.5 | 104.3 MYFM | 98.7 FM
KFI AM 640 | AM570 FOX Sports LA | KEIB AM 1150



Clear Channel Media and Entertainment, with its 245 million monthly U.S. listeners, is the leading media company in America with a greater reach than any radio, digital or television outlet.

From: Montesana, John
Sent: Monday, March 03, 2014 10:19
To: Houser, William; Delgado, Ann
Subject: FW: R-CXKC 4610

From: Cotaco, Catherine [<mailto:Catherine.Cotaco@DDBCalifornia.com>]
Sent: Monday, March 03, 2014 8:29 AM
To: Montesana, John
Subject: R-CXKC 4610

Please confirm receipt.

Thank you,
Catherine Cotaco
Content Traffic Manager

DDB®

555 Market Street, 6th floor
San Francisco, CA 94105
(D) 415.732.3649

Catherine.Cotaco@DDBCalifornia.com

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EXHIBIT P

Meltzer, Ari

From: Davalos, Nina <ninadavalos@clearchannel.com>
Sent: Tuesday, March 04, 2014 9:19 PM
To: Houser, William; Montesana, John; Show, Robert; Self, Chris
Cc: SANCHEZ, TONY; LA - Traffic Managers; Delgado, Ann
Subject: RE: Clorox edits

Thank you all, so much!!

From: Houser, William
Sent: Tuesday, March 04, 2014 6:01 PM
To: Montesana, John; Show, Robert; Self, Chris; Davalos, Nina
Cc: SANCHEZ, TONY; LA - Traffic Managers; Delgado, Ann
Subject: RE: Clorox edits

Awesome. Thank you everyone. Really appreciate the hard work, quick turnaround, and patience on this from everyone.

Have a great night everyone. Let me know if you need anything from me.

William Houser | Key Account Coordinator
Clear Channel Media + Entertainment
O: 818.566.4543
3400 W. Olive Ave Suite 550 | Burbank | California | 91505



Clear Channel Media and Entertainment, with its 245 million monthly U.S. listeners, is the leading media company in America with a greater reach than any radio, digital or television outlet.

From: Montesana, John
Sent: Tuesday, March 4, 2014 5:54 PM
To: Show, Robert; Houser, William; Self, Chris; Davalos, Nina
Cc: SANCHEZ, TONY; LA - Traffic Managers; Delgado, Ann
Subject: RE: Clorox edits

POP IT!!!!

Thank you . Thank you .thank You everyone!!

Approved

----- Original message -----

From: "Show, Robert"
Date: 03/04/2014 5:40 PM (GMT-08:00)

To: "Houser, William" ,"Self, Chris" ,"Davalos, Nina" ,"Mentesana, John"
Cc: "SANCHEZ, TONY" ,LA - Traffic Managers ,"Delgado, Ann"
Subject: RE: Clorox edits

Here are the latest versions. The champagne is still on ice.

From: Houser, William
Sent: Tuesday, March 04, 2014 5:27 PM
To: Self, Chris; Davalos, Nina; Mentesana, John
Cc: SANCHEZ, TONY; Show, Robert; Duncan, Jim; LA - Traffic Managers; Delgado, Ann
Subject: RE: Clorox edits

Here are the spot times.

Line No.	Station	Title	ISCI Code	Status	Sched Day	Sched Date	Sched Time
Advertiser: CLOROX							
Order No.: 238728							
8	LA-DODGERS	CLOROX	RCXKC4611+TAG	Non-Verified	Wed	03/05/2014	17:50:00
8	LA-DODGERS	CLOROX	RCXKC4610+TAG	Non-Verified	Wed	03/05/2014	18:45:00
8	LA-DODGERS	CLOROX	RCXKC4611+TAG	Non-Verified	Wed	03/05/2014	19:45:00
5	LA-DODGERS	CLOROX	RCXKC4610+TAG	Non-Verified	Wed	03/05/2014	20:45:00

William Houser | Key Account Coordinator
Clear Channel Media + Entertainment
O: 818.566.4543
3400 W. Olive Ave Suite 550 | Burbank | California | 91505

Clear Channel Media and Entertainment, with its 245 million monthly U.S. listeners, is the leading media company in America with a greater reach than any radio, digital or television outlet.

-----Original Message-----

From: Self, Chris
Sent: Tuesday, March 4, 2014 5:26 PM
To: Davalos, Nina; Mentesana, John
Cc: Houser, William; SANCHEZ, TONY; Show, Robert; Duncan, Jim; LA - Traffic Managers; Delgado, Ann
Subject: RE: Clorox edits

These are only scheduled on LA Dodgers tomorrow

The game starts at 5:30 pm

I moved them to start on Thursday on KLAC

-----Original Message-----

From: Davalos, Nina
Sent: Tuesday, March 04, 2014 17:23

To: Mentesana, John
Cc: Houser, William; SANCHEZ, TONY; Show, Robert; Duncan, Jim; LA - Traffic Managers; Delgado, Ann
Subject: Re: Clorox edits

William can you send us spot times for tomorrow

On Mar 4, 2014, at 5:22 PM, "Mentesana, John" <JohnMentesana@clearchannel.com> wrote:

Ugggg...see below...sorry guys...I am trying to manage them

----- Original message -----

From: "Fisher, Eleanor"
Date: 03/04/2014 5:17 PM (GMT-08:00)
To: "Mentesana, John", "Cotaco, Catherine"
Cc: Marisa Marsango
Subject: Re: Clorox edits

Hi John,
Sorry about all the back and forth on this, and again really appreciate you working with us. It sounds like the beeps are just a tad too short. We like the sound/tone, but can you make the 2 beeps the length of our original version? I have attached our original and alt. version here as reference. Also, feel free to give me a call if you'd like to chat briefly over the phone!
Thanks so much!
-Eleanor

Eleanor Fisher | Account Executive | DDB California | 415.732.3609

From: <Mentesana>, John <JohnMentesana@clearchannel.com<mailto:JohnMentesana@clearchannel.com>>
Date: Tuesday, March 4, 2014 5:01 PM
To: "Cotaco, Catherine" <Catherine.Cotaco@DDBCalifornia.com<mailto:Catherine.Cotaco@DDBCalifornia.com>>, DDB California <eleanor.fisher@ddbcalifornia.com<mailto:eleanor.fisher@ddbcalifornia.com>>
Cc: Marisa Marsango
<Marisa.Marsango@omnicommediagroup.com<mailto:Marisa.Marsango@omnicommediagroup.com>>
Subject: Fwd: Clorox edits

Here you go----- Original message -----

From: "Show, Robert"
Date: 03/04/2014 4:49 PM (GMT-08:00)
To: "Mentesana, John", "Delgado, Ann", "Houser, William", "Duncan, Jim", "SANCHEZ, TONY", "Davalos, Nina"
Cc: LA - Traffic Managers, "Blackmore, Brian"
Subject: RE: Clorox edits

Here are the latest versions. I hope I'm doing this how they want.

From: Mentosana, John
Sent: Tuesday, March 04, 2014 4:38 PM
To: Delgado, Ann; Houser, William; Show, Robert; Duncan, Jim; SANCHEZ, TONY; Davalos, Nina
Cc: LA - Traffic Managers; Blackmore, Brian

Subject: RE: Clorox edits

looks like they want two beeps...was that in the original revision..if so lets run with that. if not please see below

Hi John,

Thanks so much for your help on this, really appreciate it! After talking to our creative team, we would love to be able to have 2 beeps in here, instead of 1 long beep. This will just help us to stay consistent with our original version. The tone/sound of this is great though. Let me know if this is something we can do.

Thanks again,
Eleanor

From: Delgado, Ann

Sent: Tuesday, March 04, 2014 4:34 PM

To: Montesana, John; Houser, William; Show, Robert; Duncan, Jim; SANCHEZ, TONY; Davalos, Nina

Cc: LA - Traffic Managers; Blackmore, Brian

Subject: RE: Clorox edits

I will change the isci codes to match the revised spots when approved.

Ann Delgado | A-K Continuity Director

Clear Channel Media + Entertainment

O: 818.566.4506 | F: 818.260.9069

3400 W. Olive Ave Suite 550 | Burbank | California | 91505

KIIS FM | HOT 92.3 | KOST 103.5 | 104.3 MYFM | 98.7 FM KFI AM 640 | AM570 FOX Sports LA | KEIB AM 1150

[cid:765354800@05032014-06DD] Clear Channel Media and Entertainment, with its 245 million monthly U.S. listeners, is the leading media company in America with a greater reach than any radio, digital or television outlet.

From: Montesana, John

Sent: Tuesday, March 04, 2014 16:27

To: Houser, William; Show, Robert; Duncan, Jim; SANCHEZ, TONY; Davalos, Nina

Cc: LA - Traffic Managers; Blackmore, Brian; Delgado, Ann

Subject: RE: Clorox edits

here is her response...Does anyone have any issues with the below?
hold please

Thanks John. We will send this for approval now.

If approved, we may have to change the ISCI code since it is another revised version.

As soon as approval is given, I will send traffic with the new codes. The only thing left would be to change the codes to the MP3 spots you just sent. Let me know if this will be an issue on your end.

Please standby...

Thanks,
Catherine Cotaco
Content Traffic Manager

[cid:11679AA9-17A6-4212-BCE1-44D80C4931B5]

555 Market Street, 6th floor

San Francisco, CA 94105

(D) 415.732.3649

Catherine.Cotaco@DDBCalifornia.com<mailto:Catherine.Cotaco@DDBCalifornia.com>

From: Houser, William

Sent: Tuesday, March 04, 2014 3:30 PM

To: Show, Robert; Duncan, Jim; SANCHEZ, TONY; Montesana, John; Davalos, Nina

Cc: LA - Traffic Managers; Blackmore, Brian; Delgado, Ann

Subject: RE: Clorox edits

Importance: High

Thank you!

John, Please forward to clients for approval ASAP

William Houser | Key Account Coordinator Clear Channel Media + Entertainment

O: 818.566.4543

3400 W. Olive Ave Suite 550 | Burbank | California | 91505

[X]

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From: Show, Robert

Sent: Tuesday, March 4, 2014 3:28 PM

To: Houser, William; Duncan, Jim; SANCHEZ, TONY; Montesana, John; Davalos, Nina

Cc: LA - Traffic Managers; Blackmore, Brian; Delgado, Ann

Subject: RE: Clorox edits

Here are the latest edits. Enjoy!

From: Houser, William

Sent: Tuesday, March 04, 2014 3:21 PM

To: Duncan, Jim; SANCHEZ, TONY; Show, Robert; Montesana, John; Davalos, Nina

Cc: LA - Traffic Managers

Subject: RE: Clorox edits

Rob,

Has this been done yet?

William Houser | Key Account Coordinator Clear Channel Media + Entertainment

O: 818.566.4543

3400 W. Olive Ave Suite 550 | Burbank | California | 91505

[X]

Clear Channel Media and Entertainment, with its 245 million monthly U.S. listeners, is the leading media company in America with a greater reach than any radio, digital or television outlet.

From: Duncan, Jim
Sent: Tuesday, March 4, 2014 3:11 PM
To: SANCHEZ, TONY; Show, Robert; Montesana, John; Davalos, Nina; Houser, William
Cc: LA - Traffic Managers
Subject: RE: Clorox edits

Thanks T!

From: SANCHEZ, TONY
Sent: Tuesday, March 04, 2014 3:11 PM
To: Duncan, Jim; Show, Robert; Montesana, John; Davalos, Nina; Houser, William
Cc: LA - Traffic Managers
Subject: RE: Clorox edits
Don't load anything yet Jim...Rob is working on a change... spots will be attached to PPO once approved

· Anthony Sanchez / Production Director Clear Channel Media + Entertainment
O: 818.566 4856 Cell 626 826 5669
3400 W. Olive Ave Suite 550 | Burbank | California | 91505

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From: Duncan, Jim
Sent: Tuesday, March 04, 2014 3:02 PM
To: Show, Robert; SANCHEZ, TONY; Montesana, John; Davalos, Nina; Houser, William
Cc: LA - Traffic Managers
Subject: RE: Clorox edits
Rob:

For some reason I was given the order after you had it. Tony & I talked about the SFX problem the other day. I can record the tag & upload to NexGen if you will upload the fixed spot to the two Clorox carts:

7806695 & # 7806696

Also to anyone this applies too:

Does Rob's new fixes need to be approved before airing? Start date is tomorrow.

Thanks!

JD

From: Show, Robert
Sent: Tuesday, March 04, 2014 2:55 PM
To: SANCHEZ, TONY; Montesana, John; Davalos, Nina; Houser, William; Duncan, Jim
Cc: LA - Traffic Managers
Subject: RE: Clorox edits
Yes. I'll get right on it.

From: SANCHEZ, TONY
Sent: Tuesday, March 04, 2014 2:54 PM
To: Montesana, John; Davalos, Nina; Houser, William; Duncan, Jim
Cc: Show, Robert; LA - Traffic Managers
Subject: RE: Clorox edits
Rob?

· Anthony Sanchez / Production Director Clear Channel Media + Entertainment
O: 818.566 4856 Cell 626 826 5669
3400 W. Olive Ave Suite 550 | Burbank | California | 91505

104.3 MYFM | KIIS FM | HOT 92.3 | KOST 103.5 | ALT 98.7 KFI AM 640 | AM570 FOX Sports LA | KEIB AM 1150 · Clear Channel Media and Entertainment, with its 245 million monthly U.S. listeners, is the leading media company in America with a greater reach than any radio, digital or television outlet.

From: Montesana, John
Sent: Tuesday, March 04, 2014 2:48 PM
To: SANCHEZ, TONY; Davalos, Nina; Houser, William; Duncan, Jim
Subject: Fwd: Clorox edits
Got a response...can we do? See below

----- Original message -----

From: "Cotaco, Catherine"
Date: 03/04/2014 2:45 PM (GMT-08:00)
To: "Montesana, John"
Cc: Marisa Marsango, "Fisher, Eleanor"
Subject: FW: Clorox edits
Hi Jon,

Please see below comments from the client regarding the revision you made on your end.

Please let us if this change is possible from your end.

Thanks,
Catherine Cotaco
Content Traffic Manager

[cid:765354800@05032014-06E4]
555 Market Street, 6th floor
San Francisco, CA 94105
(D) 415.732.3649
Catherine.Cotaco@DDBCCalifornia.com<mailto:Catherine.Cotaco@DDBCCalifornia.com>

From: <Fisher>, Eleanor <Eleanor.Fisher@DDBCalifornia.com<mailto:Eleanor.Fisher@DDBCalifornia.com>>
Date: Tuesday, March 4, 2014 2:30 PM
To: "Cotaco, Catherine" <Catherine.Cotaco@DDBCalifornia.com<mailto:Catherine.Cotaco@DDBCalifornia.com>>
Subject: Re: Clorox edits

Our team is ok with the tone and pitch of the sound, but can we make it 2 longer sounds or even one extended sound, instead of the 4 beeps that it is currently. Thanks!

Eleanor Fisher | Account Executive | DDB California | 415.732.3609

From: <Cotaco>, Catherine <Catherine.Cotaco@DDBCalifornia.com<mailto:Catherine.Cotaco@DDBCalifornia.com>>
Date: Tuesday, March 4, 2014 1:55 PM
To: DDB California <eleanor.fisher@ddbcalifornia.com<mailto:eleanor.fisher@ddbcalifornia.com>>
Subject: Re: Clorox edits

So far the only notification I got was from KTLA.

Catherine Cotaco
Content Traffic Manager

[cid:765354800@05032014-06E4]
555 Market Street, 6th floor
San Francisco, CA 94105
(D) 415.732.3649
Catherine.Cotaco@DDBCalifornia.com<mailto:Catherine.Cotaco@DDBCalifornia.com>

From: <Fisher>, Eleanor <Eleanor.Fisher@DDBCalifornia.com<mailto:Eleanor.Fisher@DDBCalifornia.com>>
Date: Tuesday, March 4, 2014 1:52 PM
To: "Cotaco, Catherine" <Catherine.Cotaco@DDBCalifornia.com<mailto:Catherine.Cotaco@DDBCalifornia.com>>
Subject: Re: Clorox edits

This is the only station we have gotten push back from, right? Is it just one radio station or do they own multiple?

Eleanor Fisher | Account Executive | DDB California | 415.732.3609

From: <Cotaco>, Catherine <Catherine.Cotaco@DDBCalifornia.com<mailto:Catherine.Cotaco@DDBCalifornia.com>>
Date: Tuesday, March 4, 2014 1:47 PM
To: DDB California <eleanor.fisher@ddbcalifornia.com<mailto:eleanor.fisher@ddbcalifornia.com>>, "Watchman, Danielle" <Danielle.Watchman@ddbcalifornia.com<mailto:Danielle.Watchman@ddbcalifornia.com>>
Cc: "Bernstein, Stephen" <Stephen.Bernstein@sf.ddb.com<mailto:Stephen.Bernstein@sf.ddb.com>>
Subject: FW: Clorox edits

Looks like they did an edit in-house for those spots. Please let me know if the spots they edited are approved?

Catherine Cotaco
Content Traffic Manager

[cid:765354800@05032014-06E4]

555 Market Street, 6th floor

San Francisco, CA 94105

(D) 415.732.3649

Catherine.Cotaco@DDBCalifornia.com<mailto:Catherine.Cotaco@DDBCalifornia.com>

From: <Mentesana>, John <JohnMentesana@clearchannel.com<mailto:JohnMentesana@clearchannel.com>>

Date: Tuesday, March 4, 2014 12:17 PM

To: "Cotaco, Catherine" <Catherine.Cotaco@DDBCalifornia.com<mailto:Catherine.Cotaco@DDBCalifornia.com>>

Cc: Marisa Marsango

<Marisa.Marsango@omnicommediagroup.com<mailto:Marisa.Marsango@omnicommediagroup.com>>

Subject: FW: Clorox edits

we made changes here in house if this helps you guys ...we can approve this.

hear attached

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<image001.gif>

<image002.gif>

<RCXKC4601-BurgerAlert-LosAngeles-53-MIX.mp3>

<RCXKC4610-BurgerAlert-Rev-LA-53-MIX.mp3>

EXHIBIT Q

Meltzer, Ari

From: Montesana, John <JohnMontesana@clearchannel.com>
Sent: Tuesday, March 04, 2014 9:42 PM
To: Delgado, Ann; Houser, William
Subject: Fwd: Clorox edits
Attachments: KFC EST. 22 030314 Spot Radio LOS ANGELES ALT. 2.doc

----- Original message -----

From: "Cotaco, Catherine"
Date: 03/04/2014 5:59 PM (GMT-08:00)
To: "Fisher, Eleanor", "Montesana, John", Marisa Marsango
Subject: Re: Clorox edits

Thanks John!

With this approval, can you please mark these with the new codes?

Attached are the instructions.

Thanks,
Catherine Cotaco
Content Traffic Manager

DDB[®]

555 Market Street, 6th floor
San Francisco, CA 94105
(D) 415.732.3649
Catherine.Cotaco@DDBCalifornia.com

From: <Fisher>, Eleanor <Eleanor.Fisher@DDBCalifornia.com>
Date: Tuesday, March 4, 2014 5:51 PM
To: "Montesana, John" <JohnMontesana@clearchannel.com>, "Cotaco, Catherine" <Catherine.Cotaco@DDBCalifornia.com>, Marisa Marsango <Marisa.Marsango@omnicommediagroup.com>
Subject: Re: Clorox edits

This is PERFECT! Thanks so much. I'll send traffic instructions now. Cathy, I'll use the ISCI's you sent.

Eleanor Fisher | Account Executive | **DDB California** | 415.732.3609

From: <Montesana>, John <JohnMontesana@clearchannel.com>
Date: Tuesday, March 4, 2014 5:44 PM
To: DDB California <eleanor.fisher@ddbcalifornia.com>, "Cotaco, Catherine" <Catherine.Cotaco@DDBCalifornia.com>, Marisa Marsango <Marisa.Marsango@omnicommediagroup.com>
Subject: Fwd: Clorox edits

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REVISION REVISION REVISION REVISION REVISION



RADIO TRAFFIC INSTRUCTIONS

DATE	3/4/14	CLIENT	Clorox
PRODUCT	Kingsford Charcoal	ESTIMATE	22
REVISION	#2 – Alternative #2 version		

Only for stations NOT ALLOWING the following codes to air:
R-CXKC 4604, R-CXKC 4601, R-CXKC 4610, R-CXKC 4611
Los Angeles, CA (Market)

Please air the following spot(s) during any/all programs according to your order:

LENGTH	ISCI	TITLE	ROT.	FLIGHT
:53+:07 (LIVE READ)	R-CXKC 4613	Special Advisory Rev. 2 Los Angeles + Ralph's Tag Live Read	50%	3/4/14 – 3/23/14
:53+:07 (LIVE READ)	R-CXKC 4612	Burger Alert Rev. 2 Los Angeles + Ralph's Tag Live Read	50%	3/4/14 – 3/23/14

:07 LIVE READ:

"Stock up on everything you need to get out and grill, including Kingsford Charcoal at your neighborhood Ralph's. Even more low prices...and fast checkout."

Spot(s) available via email.

Please advise affiliates, the advertiser requests its advertising not be integrated into programs that 1) make gratuitous, graphic, and or exploitive use of sex and violence. 2) Treat ethnic, religious or political groups in a disparaging manner. 3) Present facts inaccurately or distort them to blatantly partisan advantage. 4) Glorify drug use or alcohol consumption. 5) Contain excessive profanity. 6) Contain anything conflicting directly with the proper use of Clorox brands. Tapes should not be shipped to Howard Stern affiliates.

These instructions **do not** constitute an order for time. Questions regarding time purchase or product allocation should be addressed to agency time buyer or station representative. Please confirm the receipt of materials and complete understanding of these instructions by signing and returning duplicate copies of this letter to my attention.

FOR TRAFFIC INQUIRIES CONTACT:
Catherine Cotaco @ 415.732.3649 OR Catherine.Cotaco@DDBCalifornia.com

EXHIBIT R

From: Thom Callahan [<mailto:tcallahan@scba.com>]

Sent: Wednesday, March 05, 2014 09:45

Subject: SCBA ALERT: Kingsford Charcoal

Importance: High

All SCBA Members,

If you are currently airing Kingsford Charcoal commercials we urge you to **STOP** running these commercials until further notice.

The creative uses an EBS tone and message that the FCC will not tolerate.

We have called and written the agency in SF requesting new creative with no EBS tones. No response yet.

We are playing the bad guy here so you won't have to.

Please stand by.

Thom



Thom Callahan

President

Southern California Broadcasters Association

5670 Wilshire Blvd. Suite 300

Los Angeles, CA 90036

O: 323-930-5597, C: 323-695-1000, F: 323-932-1425

E: tcallahan@scba.com

W: www.scba.com

F: www.facebook.com/SoCalbroadcastersassociation

T: @SCBARadio or ThomCallahan1

EXHIBIT S

Meltzer, Ari

From: Mentesana, John <JohnMentesana@clearchannel.com>
Sent: Wednesday, March 05, 2014 3:21 PM
To: Houser, William; Davalos, Nina; Martin, Don; Ashlock, Greg; Thomas, Jeff (LA); Mcmillan, Darren; Blackmore, Brian
Subject: RE: SCBA ALERT: Kingsford Charcoal

Yes.

----- Original message -----

From: "Houser, William"
Date: 03/05/2014 12:19 PM (GMT-08:00)
To: "Mentesana, John" , "Davalos, Nina" , "Martin, Don" , "Ashlock, Greg" , "Thomas, Jeff (LA)" , "Mcmillan, Darren" , "Blackmore, Brian"
Subject: RE: SCBA ALERT: Kingsford Charcoal

Hi I just wanted to cover all the bases here. Are we good to run these attached spots?

Please let me know as soon as possible. We have spots running at 5pm today.

Thank you

William Houser | Key Account Coordinator
Clear Channel Media + Entertainment
O: 818.566.4543
3400 W. Olive Ave Suite 550 | Burbank | California | 91505



Clear Channel Media and Entertainment, with its 245 million monthly U.S. listeners, is the leading media company in America with a greater reach than any radio, digital or television outlet.

From: Mentesana, John
Sent: Wednesday, March 5, 2014 10:30 AM
To: Davalos, Nina; Martin, Don; Ashlock, Greg; Thomas, Jeff (LA); Mcmillan, Darren; Blackmore, Brian; Houser, William
Subject: RE: SCBA ALERT: Kingsford Charcoal

hi all,
we have all been on this since Friday and were the originators of the change (the bad guys)...we let client know that we couldn't air original spots due to EBS. We went back and forth with creative BEEP changes (thanks to production and traffic!!...it was all them that handled the situation professionally). This is what we came back with and what was approved by client.

any questions let me know

John

From: Davalos, Nina

Sent: Wednesday, March 05, 2014 10:21 AM

To: Martin, Don; Ashlock, Greg; Thomas, Jeff (LA); Mcmillan, Darren; Blackmore, Brian; Montesana, John; Houser, William

Subject: RE: SCBA ALERT: Kingsford Charcoal

John,

Is this for Clorox spots that were addressed by you and the team yesterday?

From: Martin, Don

Sent: Wednesday, March 05, 2014 10:14 AM

To: Ashlock, Greg; Thomas, Jeff (LA); Mcmillan, Darren; Davalos, Nina; Blackmore, Brian; Montesana, John

Subject: FW: SCBA ALERT: Kingsford Charcoal

Importance: High

FYI,

John we need new creative for Kingsford.

From: Thom Callahan [<mailto:tcallahan@scba.com>]

Sent: Wednesday, March 05, 2014 09:45

Subject: SCBA ALERT: Kingsford Charcoal

Importance: High

All SCBA Members,

If you are currently airing Kingsford Charcoal commercials we urge you to **STOP** running these commercials until further notice.

The creative uses an EBS tone and message that the FCC will not tolerate.

We have called and written the agency in SF requesting new creative with no EBS tones. No response yet.

We are playing the bad guy here so you won't have to.

Please stand by.

Thom



Thom Callahan
President

Southern California Broadcasters Association

5670 Wilshire Blvd. Suite 300

Los Angeles, CA 90036

O: 323-930-5597, C: 323-695-1000, F: 323-932-1425

E: tcallahan@scba.com

W: www.scba.com

F: www.facebook.com/SoCalbroadcastersassociation

T: @SCBARadio or ThomCallahan1

EXHIBIT T

FCC Local Area Plan

For the

EMERGENCY ALERT SYSTEM (EAS)

Communications Operations Orders

Los Angeles County

Local Emergency Communications Committee (LECC)

LECC Approval: July 30, 1997

SECC Approval: September 2, 1997

FCC Approval: July 8, 1998

Revision 1b: 2-16-99

Revision 2.0 7-24-2002

COO CA-LA 1 Revision 1.0 1-7-2013

COO CA-LA Revision 2.0 3-13-13

COO CA-LA Revision 3.0 8-29-2013

LOS ANGELES COUNTY (CA) EAS PLAN COMMUNICATION OPERATIONS ORDERS

COMMUNICATIONS OPERATIONS ORDER CA-LA NO. 1 MONITORING PLAN

All broadcast and cable systems subject to Part 11 compliance must monitor at minimum two EAS sources, ideally an LP as specified below, alternates listed in 1.3, 1.4 and the designated National Weather Service's National Weather Radio station. We encourage all EAS participants to monitor additional sources to improve EAS reliability.

1.1 There are three LP-1 stations designated for Los Angeles County:

- | | | | |
|----|----------|-----------|-----------------|
| a. | KFI (AM) | 640 KHz | Los Angeles, CA |
| b. | KNX (AM) | 1070 kHz | Los Angeles, CA |
| c. | KBIG-FM | 104.3 mHz | Los Angeles, CA |

These stations monitor*:

- | | | | |
|----|-------------------|-------------|------------------------------|
| a. | KFI (AM) [PEP] | 640 kHz | Los Angeles, CA |
| b. | NWR, Oxnard | 162.55 mHz | Mt. Wilson |
| c. | CLERS [State EAS] | 158.790 mHz | Santiago Peak |
| d. | County | 39.48 mHz | Mt. Wilson (LA County voice) |
| e. | KROQ | 106.7 mHz | Burbank, CA. |

1.2 All other stations should monitor at least one of the following, plus NWS:

- | | | | |
|----|----------|-----------|-----------------|
| a. | KFI (AM) | 640 KHz | Los Angeles, CA |
| b. | KNX (AM) | 1070 KHz | Los Angeles, CA |
| C. | KBIG-FM | 104.3 mHz | Los Angeles, CA |

1.3 Stations unable to monitor above stations may monitor, subject to confirmation by the Los Angeles County LECC after a request in writing:

- | | | | | |
|----|---------|-----------|-----------------|--------|
| a. | KROQ | 106.7 MHz | Burbank, CA | LP2-FM |
| b. | KCBS-FM | 93.1 MHz | Los Angeles, CA | LP2-FM |

1.4 In addition, but not in lieu of stations listed in 1.3, the following sources are recommended monitoring assignments:

- | | | | |
|----|----------|------------|---------------------------|
| a. | KLOX/NWS | 162.55 MHz | Oxnard NWS via Mt. Wilson |
|----|----------|------------|---------------------------|

b. Los Angeles County 39.48 MHz LA County Voice - Mt. Wilson

Monitoring assignment summary chart:

	Source	PEP	KROQ	CLERS	Sheriff	NWS	KNX	KFI	KBIG
Station									
KFI		X	X	X	X	X	X		
KNX			X	X	X	X		X	
KBIG					X	X	X	X	

All Others						X+	(x)	or (x)	or (x)
------------	--	--	--	--	--	----	-----	--------	--------

Stations unable to receive assigned LP facilities may monitor KROQ or KCBS with confirmation from L.A. County LECC following written request.

1.6 The following stations have agreed to do translations as special purpose LP stations:

(Currently no stations have agreed to fulfill this function. Non-English language stations are encouraged to provide their own translations as a public service)

1.7 In circumstances where no LA County station can be received reliably, a direct EAS local relay internet feed originated from the Los Angeles Sheriff's Department may be used. The designation for this feed is LR-1. Prior written permission to monitor this feed must be sent to the Los Angeles LECC from a station or group unable to monitor any of the above-designated LP stations reliably. Upon receipt of such a request, if approved, stations or groups authorized to use this EAS monitoring source will be published in this Plan. The total number of such connections is limited due to technical considerations.

Stations/Groups authorized to use the LR-1 feed:

a. High Desert Broadcasting, Antelope Valley (January 7, 2012)

1.8 As of June 30, 2012 all stations are required to have Common Alerting Protocol (CAP) EAS equipment installed and working, connected to the Internet, and set to poll the FEMA IPAWS OPEN server. Stations should contact the manufacturer of their equipment for specific details on polling setup.

**LOS ANGELES COUNTY (CA) EAS PLAN COMMUNICATION
OPERATIONS ORDERS COMMUNICATIONS OPERATIONS
ORDER CA-LA NUMBER 2
EVENT CODES**

In addition to the Event Codes that the Federal Communications Commission requires stations to carry under Part 11 of their Rules, the following Event Codes will be carried as indicated below by all participants in this FCC Local Area:

2.1 All stations have agreed to carry:

CEM	Civil Emergency Message
NUW	Nuclear Power Plant Warning
RHW	Radiological Hazard Warning
SPW	Shelter in Place Warning (Civil Warning only)
HMW	Hazardous Materials Warning (Civil Warning only)
EVI	Evacuation Immediate (Civil Warning only)
FFW	Flash Flood Warning
HUW	Hurricane Warning
IIWW	High Wind Warning
SVR	Severe Thunderstorm Warning
TOR	Tornado Warning
TSW	Tsunami Warning

2.2 Voluntary recommendations for all stations:

TOE	911 Telephone Outage Emergency
CAE	Child Abduction Emergency
LEW	Law Enforcement Warning
LAE	Local Area Emergency
CFW	Coastal Flood Warning
DSW	Dust Storm Warning
EQW	Earthquake Warning
FRW	Fire Warning
TOA	Tornado Watch
FLW	Flood Warning
WSW	Winter Storm Warning

2.3 Other EAS codes listed below are not to be relayed by broadcast stations under any circumstances. These codes will be used only by the National Weather Service, The State

of California, Los Angeles County, and other non-broadcast origination points. These codes are for special tests such as the annual State Duck-Cover-And-Hold Drill, and verification of proper equipment operation with LP and other entities.

DMO	Practice/Demonstration Warning
ADM	Administrative Message
NMN	Network Message Notification

**LOS ANGELES COUNTY (CA) EAS PLAN
COMMUNICATION OPERATIONS ORDERS
COMMUNICATIONS OPERATIONS ORDER CA-LA NUMBER 3
NATIONAL WEATHER SERVICE**

3.1 All National Weather Service WARNING messages and EAS ACTIVATION REQUESTED messages will be transmitted over the National Weather Radio (KLOX/NWS), Oxnard, on 162.55 MHz.

3.2 LP stations are required to monitor the NWR frequency serving their area of responsibility. All LP station and CATV control points are urged to also monitor the local NWR transmitter.

3.3 The NWR transmitter format for Alert Requests is:

- a. The digital header repeated three times
- b. The NWR receiver alert tone
- c. The EAS attention signal
- d. The audio message
- e. The digital EOM repeated three times

3.4 While no verbal portion of an EAS message can exceed 120 seconds due to the recording limitation of EAS decoders, the National Weather Service is aware that broadcast stations will be more likely to respond to relaying Alert requests if messages are kept as short as possible. The Local Emergency Communication Committee (LECC) recommends that all audio messages for EAS Activation requests should ideally run no longer than 45 seconds, and will hopefully be closer to 30 seconds and direct listeners/viewers to tune to a source of local live broadcast news for further information.

3.5 If the NWR transmitter is off the air, the NWS Oxnard Office will telephone the LP1 stations in the following order. KFI, KNX, KBIG

3.6 NWS Emergency Procedure

- a. The NWS representative will identify as _____, meteorologist with the from the National Weather Service, Oxnard.
- b. The LP station will record the message immediately. The station should ask for an audio level check prior to recording. The words, "**Level, level, level, level, level**" should be spoken at the same level the meteorologist will use during the message.

LOS ANGELES COUNTY FCC LOCAL EMERGENCY COMMITTEE EAS PLAN

COMMUNICATIONS OPERATIONS ORDER CA-LA NUMBER 3, CONTINUED

c. The station will give the meteorologist notice that they are ready to begin recording. The message should be preceded with a countdown. When the recording starts, the meteorologist will begin the message as follows:

“ 5 - 4 - 3 - 2 -1. This is the National Weather Service Office serving Los Angeles County. We are requesting activation by all broadcasters of the Emergency Alert System for a (nature of the request).”

MESSAGE TEXT (30-45 SECONDS that ends with request for people to tune to a source of live local broadcast news for further information)

“This concludes this Emergency Alert System message from the National Weather Service, Oxnard, California.”

d. Note: The meteorologist should remain silent at the end of the message until the person doing the recording comes back on the line. If there is a problem with the recording process, or the meteorologist deems it necessary, repeat the recording process.

3.7 Once a month, NWS will call the designated hot line numbers for the LP stations listed in this plan to verify that current hot line phone numbers are correct. If a hot line number fails to work, NWS will call the LECC Chair, or a vice-chair to obtain a valid number.

**LOS ANGELES COUNTY (CA) EAS PLAN COMMUNICATION
OPERATIONS ORDERS COMMUNICATIONS OPERATIONS
ORDER CA-LA NUMBER 4
HOW TO ACTIVATE AND TRANSMIT A LOCAL BROADCAST**

4.1 Message Relay procedure from codes decoded from EAS Decoders:³

- b. If the event code coincides with mandatory codes shown on COO Number 2, LP1's will relay the alert as soon as possible using the posted instructions for their respective EAS Encoders.
- b. You may relay any event code received at your discretion, with the understanding that emergency alert information declines rapidly in value to the public as seconds pass by.

4.2 From calls received via a telephone call to your hot line number:

7 The station receives a telephone call from the National Weather Service, the Los Angeles County Sheriff's Department, the County of Los Angeles, and the Federal Government, or from a government or Weather Service official from an adjacent Operational Area who is authorized to initiate a request.⁴

- b. Transfer call to recording station for EAS. Start recorder. Ask the caller to recite their validation code. Set level on recorder based on sound recorded during validation, or from subsequent level check.
- c. Tell the caller to "count down and go." Supervise the recording process. Listen for quality assurance and for mistakes. Stop recording after caller recites the message closing, "This concludes this Emergency Alert System activation request from (Name of the Agency) serving Los Angeles County."
- d. Inform caller if retake is needed or, if all is OK.
- e. Program EAS terminal per station's posted instructions to activate from a phone call.
- f. Cue up recorded message.

³ This is the standard and preferred method for EAS activation that has the highest chance for success.

⁴ Such a call would only be initiated if the government agency calling cannot originate an EAS Alert through normal channels.

g. Halt current program on the air as soon as possible. Play or live announce:

“We interrupt this program to activate the Emergency Alert System for Los Angeles County.”

h. Activate EAS encoder. Play recorded message. Play or read the following after the message outcue and EOM digital bursts:

“This concludes Emergency Alert System programming. All broadcast and cable systems can now resume normal programming.”

i. Resume normal broadcasting. Repeat essential warning information as often as necessary for the duration of the warning. The suggested interval is 5 to 10 minutes.

j Log the alert per your station’s posted instructions. All EAS alert broadcasts must be reported to the FCC in Washington in accordance with Part 11 of the FCC’s Rules.

4.3 Any broadcast station may activate the EAS and read the requested message upon receipt of any EAS message through their EAS decoders marked “ACTIVATION REQUESTED” from the National Weather Service or the County of Los Angeles. The LA LECC PLAN is based on voluntary agreement that such messages will be relayed without delay or any additional notification, authorization or permission.

4.4 All news and program personnel shall be trained both as to the means and need to place EAS Alert Requests on the air without delay. Posted instructions specific to the LA LECC Plan must ~~must~~ be posted at all control points where EAS activation can be done. NOTE: The FCC requires posting of the California State Plan that of course contains the Los Angeles County Plan

4.5 On-air personnel shall not ad-lib, interpret, abbreviate or alter any EAS test or EAS Alert Request message, not enhance such messages with music or sound effects in any way.

4.6 Further, tests, Warnings or Alert Requests may not be set to music, sung, or receive enhancement or alteration by means of echo, or any other types signal processing or production aid(s) that would drastically alter the meaning or immediacy of the message.

**LOS ANGELES COUNTY (CA) EAS PLAN
COMMUNICATION OPERATIONS ORDERS
COMMUNICATIONS OPERATIONS ORDER CA-LA NUMBER 5
LA COUNTY EMERGENCY PROCEDURES FOR EAS ACTIVATION**

5.1 If the County voice transmitter is off the air, the County will telephone the LP1 stations in order. Should the County be unable to reach KFI, then NWS will call KNX. Should NWS, Oxnard be unable to reach KFI, KNX then NWS will call KBIG.

5.2 Sheriff's Department Emergency Procedure

a. The Sheriff's Department representative will identify as *Name/Title*, with the Los Angeles County *Origination Point*. The three designated Origination *Points* are the Sheriff's Communications Center, Sheriff's Headquarters Bureau, or the Emergency Operations Center.

b. The LP station will record the message immediately. The station should ask for an audio level check prior to recording. The words, "Level, level, level, level, level" should be spoken by the *authorized County employee* at the same level to be used when the message is read.

c. The station will give the *authorized County employee* notice that they are ready to begin recording. The message should be preceded with a countdown. When the recording starts, the Sheriff's Department Representative shall begin the message as follows:

"5 - 4 - 3 - 2 -1. This is the Los Angeles County Sheriff's Department. We are requesting activation by all broadcasters of the Emergency Alert System for a (nature of the request)."

MESSAGE TEXT (30-45 SECONDS)

"This concludes this Emergency Alert System message from the Los Angeles County Sheriff's Department."

c.5 Note: The *authorized County employee* should remain silent at the end of the message until the person doing the recording comes back on the line. If there is a problem with the recording process, or the meteorologist deems it necessary, repeat the recording process.

5.4 Once a month, the Sheriff's Department Communications Center will call the designated hot line numbers for the LP stations listed in this plan to verify that current hot line phone numbers are correct. If a hot line number fails to work, the Sheriff's Department will call the LECC Chair, or a vice-chair to obtain a current valid number.⁵

**LOS ANGELES COUNTY (CA) EAS PLAN
COMMUNICATION OPERATIONS ORDERS
COMMUNICATIONS OPERATIONS ORDER CA-LA NUMBER 6**

**AUTHENTICATION PROCEDURE
STATE OR OTHER AUTHORIZED WARNING CENTERS**

6.1 The party receiving a request to activate the Emergency Alert System shall use the verification system called out in the **Los Angeles County Sheriff's Department Procedures for EAS Activation.**

6.2 The Sheriff's Department Activation Point may call the party requesting activation back for additional verification or for more details before an EAS Activation is carried out.

**LOS ANGELES COUNTY (CA) EAS PLAN
COMMUNICATION OPERATIONS ORDERS
COMMUNICATIONS OPERATIONS ORDER CA-LA NUMBER 7
REQUIRED MONTHLY TEST**

7.0 The Coordinated Required Monthly Test (Event Code RMT) within the Los Angeles County Operational Area must be carried by all broadcast stations as well as CATV firms when the FCC's Rules for Cable go into effect. The RMT may be carried simultaneously with the Sheriff's Department origination as monitored on 39.48 MHz., or with the originating LP1 stations, or delayed by no more than 60 minutes [Federal Communications Commission Part 11.61 (a)(1)] as revised effective May 16, 2002.

7.1 The Required Monthly Test for the Los Angeles County Operational Area will be conducted as follows effective September 1, 2002:

Daytime: Last Tuesday of odd-numbered months at **10:25 a.m.**
Nighttime: Last Tuesday of even-numbered months at **4:25 a.m.**

7.2 The Required Monthly Test (RMT) will originate from the Sheriff's Communications Center or one of the alternate EAS control points with a pre-recorded message voiced by the Sheriff.

7.2.1 APPROVED **TEXT:**

This is a test of the Emergency Alert System. This is Sheriff Lee Baca. I am speaking to you from the Los Angeles County Emergency Operations Center where we manage response to major emergencies. Many broadcasters have agreed to deliver emergency information that will help you understand what has happened during emergencies and what you need to do. When you hear a real EAS Warning or Alert, you should immediately tune to one of those radio or TV stations. This concludes this test of the Emergency Alert System.

The entire Required Monthly Test (RMT) will take approximately 48 seconds.

7.3 An annual Duck - Cover - and - Hold earthquake drill will originate using the EAS "demonstration" or "network message" designator (DMO or NMN) on the first Tuesday of every April at 10:30 a.m. In conjunction with the annual Statewide Duck - Cover - and - Hold earthquake drill. Stations choosing to participate should

run this event promptly at 10:30 a.m.

7.4 The State Emergency Operations Center or a designated alternate will transmit a monthly Closed Circuit test that may be carried by any station in addition or in lieu of that station's weekly test. This test can never replace a station's Required Monthly Test (RMT).

f. The Monthly State EAS test is conducted on the first Tuesday of each month except April. The daytime test in odd-numbered months is at **TBA**. The nighttime test in even numbered months is at **TBA**.

7.6 The Los Angeles County Sheriff's Department will from time to time conduct closed circuit tests of the EAS equipment on the County voice channel, 39.48 MHz. These tests ensure the operational status of originating equipment for the Required Monthly Tests and actual EAS Activation Requests, and may originate from any of the three EAS control points. These tests will use either the DMO (demonstration) or NMN (network Message) message designators

**LOS ANGELES COUNTY (CA) EAS PLAN
COMMUNICATION OPERATIONS ORDERS
COMMUNICATIONS OPERATIONS ORDER CA-LA NUMBER 8**

Purpose:

**LA County Hotline Numbers
For Government Use to Coordinate EAS activity
Emergency activation procedures**

**These numbers are not to be published in Plan copies for
the broadcast and cable industries or posted publicly**

	KNX
	KFI
	KBIG
	KCBS-FM
	KROQ
	KLAX
	KFOX
	KUSC
	National Weather Service, Oxnard

LOS ANGELES COUNTY (CA) EAS PLAN COMMUNICATION OPERATIONS ORDERS

APPENDIX 1

GLOSSARY OF TERMINOLOGY

AMBER Plan A Plan adopted locally or statewide that provide for an EAS Alert message to use the public to find abducted children. For more information contact the National Center for Missing and Exploited Children (NCMEC). (703) 837-6354

Attention Signal

The two tone 853 /960 Hertz tone now shortened to eight seconds that was the old EBS signal that activated decoders and alerted the public to stand by for emergency information.

CLERS California Law Enforcement Radio System. The State's radio system dedicated to public safety/law enforcement purposes that run of the State's microwave backbone. Local CLERS VHF channels provide State EAS audio to broadcasters.

CLETS California Law Enforcement Telecommunications System. CLETS terminals can be permissioned to originate EDIS messages. Please see EDIS definition below.

EDIS Emergency Digital Information Service. The "government wireless service" provided by the State and carried locally on 39.32 MHz. that is used for longer form text emergency information, along with a website at [www.edis.ca.gov]. Plans are underway for EDIS to be linked with EAS to help TV stations put text on screen faster to better serve the needs of the hearing impaired. EDIS is also a key system to reinforce and support the LA County AMBER Plan.

ENN The Emergency News Network. A term used to describe the use of voice, video, and data to provide not only alerts, but also the ongoing story of any major emergency; from response to recovery much as NASA does with its NASA Mission Control.

EOB The Los Angeles County Sheriff's Department Emergency Operations Bureau. The EOB staffs and maintains the County Emergency Operations Center

(EOC), and is responsible for much of the planning required for emergency response within the County of Los Angeles.

EOC Emergency Operations Center, 1275 North Eastern Avenue. Where Los Angeles County assesses damage, manages resources and issues emergency public information during declared emergencies

EOM The End Of Message FSK “digital” signal sent at the end of an EAS message that tells EAS decoders an alert sequence has ended. Without an EOM, decoders will not return to the normal program mode for a two-minute time out period.

FIPS Code Federal Information Processing Identifier. A unique five digit number for every county, borough, parish or census district in the US and its possessions.

LECC Local Emergency Communications Committee. The LECC is the broadcast industry component of EAS that works closely with local government entities to form a partnership to make EAS work.

Header The Frequency Shift Keying (FSK) code “Digital” fields of the EAS protocol: sync, ORG, EVENT, LOCATIONS (FIPS) Duration, Date/, Time Stamp, and Station ID.

NIMS The National Incident Management System (NIMS) identifies concepts and principles that answer how to manage emergencies from preparedness to recovery regardless of their cause, size, location or complexity. It owes its basis to California’s SEMS separately described below.

OEM The Los Angeles County Office of Emergency Management whose offices are at the LA County EOC. It is the civilian component of County emergency management that reports directly to the County Chief Administrative Officer.

OES At the State Level, the OES (Office of Emergency Services) reports to the governor’s office regarding emergency response and recovery issues.

Recovery The period following “Response” when restoration of services and systems to what passes for “normal” begins. Recovery can actually begin before the “Response” phase is over.

Response The period before “Recovery” in an emergency when the initial

issues of life safety, rescue and damage assessment are addressed.

SHB Sheriff's Headquarters Bureau. The Public Information arm of the Los Angeles County Sheriff's Department.

SEMS Standardized Emergency Management System. Protocol used by State of California to encourage common emergency management practices, procedures and terminology. Covers a wide range of issues from standardized fire department hose connections to common titles for emergency responders. Local governments must be trained in and use SEMS to qualify for funds reimbursement from the State for expenses related to emergencies.

SCC Sheriff's Communications Center, 1277 North Eastern Avenue.

WEA Wireless Emergency Alerts (WEA), formerly known as Commercial Mobile Alert System (CMAS) or Personal Localized Alerting Network (PLAN), is a national emergency alert system to send concise, text-like messages with a maximum size of 90 character to users' WEA-capable mobile devices starting April 2012.

**LOS ANGELES COUNTY (CA) EAS PLAN
SIGNATURES OF APPROVAL AND CONCURRENCE**

Required Local Approvals

Lark Hadley, P.E. Chair
Los Angeles County FCC Local Emergency Communications Committee

Lark Hadley
Signature

Date : 8/29/13

James Messall, Co-Chair for Cable Television
Los Angeles County FCC Local Emergency Communications Committee

James Messall
Signature

Date July 30, 1997

Todd Morris, Meteorologist-In-Charge
National Weather Service, Oxnard, California

Todd Morris
Signature

Date: July 11, 1997

Required State & Federal Approval

Stanley E. Harter, Executive Director
California State Emergency Communications Committee

Stan Harter
Signature

Date September 2, 1997

**Local, State & Federal Approvals, 2013 Revisions
LA EAS LECC Executive Committee
Lark Hadley, P.E. , LECC Chair
Scott Mason, FM Chair
Michael Callaghan, AM Chair
Richard Rudman, Exec. Dir.**

Date: 8/29/13

LOS ANGELES COUNTY FCC LOCAL EMERGENCY COMMITTEE EAS PLAN

