

# **UNIVISION LOCAL MEDIA**

## **STATEMENT OF PROCEDURES FOR POLITICAL ADVERTISING ON UNIVISION TELEVISION STATIONS FOR ELECTION YEAR 2020**

This Statement describes the policies of each Univision television station (the “Station”) for which you have sought information regarding advertising purchases by legally qualified candidates for public office and their authorized campaign committees in 2020. These policies apply to “uses” of the Station by such candidates, as that term is defined by the Federal Communications Commission (FCC), and not to sale of time to other entities, including political issue advertisers. The sales practices described herein will be implemented for all advertisers in the fourth quarter of this year. However, to the extent permitted by law, the Station reserves the right to modify this Statement at any time. It is provided for general information and is not a part of any advertising contract.

It is the Station’s policy to comply fully with all applicable laws and regulations relating to political broadcasting.

### **REASONABLE ACCESS FOR CANDIDATES TO BUY TIME.**

The Station will make available reasonable amounts of advertising time for purchase by legally qualified candidates for federal elective office, for their “use” (i.e., for a positive appearance of the candidate by voice or image) in connection with the campaign.

The Station will also make available advertising time for purchase by legally qualified candidates for all state and local elective offices, although as election day approaches it may limit the amounts of time available for purchase in connection with certain state and local races.

### **TYPES OF ADVERTISING SCHEDULES.**

The Station will differentiate between the advertising time it sells based on the following characteristics:

**Length of Announcements:** Generally, the Station will make available for purchase spots that are 60 seconds or 30 seconds in length. Federal candidates may purchase any standard length of time that the Station has offered to commercial advertisers during the year preceding the election. The Station also will consider on a case-by-case basis requests by federal candidates for non-standard lengths of time whether or not sold or programmed commercially by the Station during the previous year.

The Station also will make available for purchase spots that are 10 seconds and 15 seconds in length. Please contact the Station for further information.

**Classes of Time:** The Station will make available for purchase the following classes of time. In each case, the spots will be scheduled to air in the Station's discretion in the particular program, time period, daypart of day specified by the advertiser.

- **Level One. Non-Preemptible Time.** Spots in Level One are not preemptible by any other spot, even if a higher price is paid. They will air as scheduled, absent unforeseen program changes, breaking news or technical difficulties.
- **Level Two. Preemptible with Notice, with Guaranteed Make Good.** Spots in Level Two may be preempted by a Level One spot and certain other Level Two spots. The Station will endeavor to provide purchasers of Level Two spots with three days advance notice prior to preemption. If a Level two spot is preempted, the Station will offer equivalent make good time to the purchaser.
- **Level Three. Immediately Preemptible, with Guaranteed Make Good.** Spots in Level Three may be preempted by a Level One or Level Two spot and certain other Level Three spots. Purchasers of Level Three spots will NOT be provided with advance notice prior to preemption but the Station will offer equivalent make good time to the purchaser.
- **Level Four. Immediately Preemptible, without Notice or Guaranteed Make Good.** Spots in Level Four may be preempted by a Level One, Two or Three spot and certain other Level Four spots. Purchasers of Level Four spots will NOT be provided with advance notice prior to preemption and the Station cannot guarantee that a make good will be made available.

The station also will offer highly preemptible spots, which are cleared and scheduled to fill in unsold inventory and air only when and as time is available. Rates for such highly preemptible spots will be provided upon request.

Within each class of time described above that are routinely offered to commercial advertisers, the Station will offer:

- "Fixed" spots that are non-preemptible relative to rotators or ROS spots of the same class and scheduled to air in a particular program at a specific time or break.

- “Weekly rotators,” by which advertisers may purchase a certain number of spots per week, to be aired at any time within a particular part of the day during the week. Rotators will be preempted before fixed spots of the same class. Please contact the Station for more information on rotators.
- “ROS” spots that are offered in daily or weekly rotations across multiple programs and scheduled only as inventory permits. These are the first spots to be preempted, and make goods are not offered for such spots on a time-sensitive basis. Please contact the Station for more information on rotators.

**Preemptions:** All spots, even Class One Non-Preemptible spots, may be preempted at the Station’s discretion in order to cover a breaking news event, to broadcast programming deemed of overriding public importance, due to transmission or other technical problems, or in other similar circumstances.

Candidates should note that the likelihood that a particular spot will be preempted fluctuates regularly based on the amount of available inventory and other factors. The Station will provide a good faith estimate of the likelihood that an advertisement ordered in a particular time period and class will clear, but the Station emphasizes that it can provide only an estimate of the likelihood of preemption, and that it will not undertake to update preemption estimates if circumstances change after they are given. For your information, if a particular time period includes one or more candidate spots, preemptions of spots will be based upon the spot most recently sold/For your information, in the event of preemptions, candidate spots will be treated as having paid the highest rate within a class.

**Time Periods:** The most common time periods for which the Station sells advertisements are listed on the Station’s rate card. From time to time, we may sell advertising in other time periods. Please contact the Station for more information on other time periods.

#### **RATES FOR CANDIDATE TIME.**

During the 45-day period preceding a primary or primary run-off election and during the 60-day period preceding a general or special election, the Station will charge legally qualified candidates its lowest unit rate for each class of spot, length of spot and time period. Whether a candidate is entitled to the lowest unit rate for a particular spot depends on the date the spot airs -- not when the order is accepted.

In addition, a federal candidate is eligible to receive the Station’s lowest unit rate only if the candidate provides a written certification that the spot will not make direct

reference to another candidate for the same office unless the spot complies with the enhanced disclosure requirements imposed by the Bipartisan Campaign Reform Act (“BCRA”), discussed below, and the candidate abides by the terms of that certification. The certification may be made through the NAB political advertising form, PB-18. If a federal candidate has either not provided the required certification or does not comply with its terms, he or she is not entitled to receive the Station’s lowest unit rate for the remainder of the time leading up to the election for that office.

The lowest unit rate for a particular length of spot, class of spot and time period may vary during the 45-day and 60-day pre-election periods, pursuant to the Station’s normal business practices, and the Station will inform candidates of its estimate of the applicable lowest unit rate when requests for availabilities are received. If an eligible candidate pays more than the lowest unit rate, the Station will rebate or credit the excess payment to the candidate, at the candidate’s option.

Outside of the pre-election 45- and 60-day periods, charges for political advertising by legally qualified candidates will not exceed charges for comparable uses of the Station by other commercial advertisers.

The attached rate card provides the basic periods for which the Station will sell time and the Station’s currently projected 30 second rates for those periods in the First Quarter of 2020. Please note that:

- Sixty-second (:60) announcements will be priced at double the 30-second rate reflected on the rate card.
- Fifteen-second (:15) commercial announcements will be priced at 65% of the 30-second rate reflected on the rate card, rounded up to the next highest \$5 increment.
- Ten-second (:10) commercial announcements will be priced at 50% of 30-second rate rounded up to the next highest \$5 increment.

The projected rates on the attached rate card reflect all volume and other discount privileges available to commercial advertisers on the Station. The rates quoted by the Station reflect payments of standard agency commissions; purchases directly from the Station will be at the quoted rates less the commission that would otherwise be paid to an agency.

Additional rate information for different lengths, classes of time, packages, and rotators offered by the Station will be provided to any candidate, or candidate’s representative, who requests the information. All orders are subject to availability at the requested time.

## **SPECIFIC SALES PRACTICES.**

The Station occasionally sells time to some advertisers subject to certain guarantees or benefits. Those guarantees and benefits are described below.

- **Make Goods.** If a Class One, Two or Three candidate spot is preempted or fails to run as scheduled for technical or similar reasons, the Station will offer the candidate a “make good” to be broadcast prior to the election. Make-goods will consist of one or more spots with an aggregate value comparable to that of the preempted spot, and may include a combination of spots in time periods other than that originally ordered. If a candidate rejects the offered make-goods, the Station will provide credits or refunds for the preempted spots.
- **Package Plans.** From time to time, the Station will offer specialized and/or individually negotiated packages of advertising time to its advertisers. During the statutory lowest unit rate periods, legally qualified candidates may purchase such packages from the Station at the lowest rate at which the Station sells such packages to commercial advertisers. In addition, the Station will factor the rate applicable to each spot within a package into its calculation of the lowest unit rate for candidate spots having the same length of time, time period, and class as the package spots.
- **Audience Delivery Guarantees.** From time to time, the Station may sell advertising to its clients with a guarantee that the audience for the programs or day parts in which the spots are aired will meet or achieve a pre-designated level. Legally qualified candidates may negotiate under-delivery protection, which is not available unless it is specifically negotiated for before an order is accepted. To the extent under-delivery protection is part of a contract, the Station may provide the advertiser with make good spots to make up all or part of a shortfall. However, in many cases, the ratings information necessary to determine whether a guaranteed audience level has been achieved will not be available until after the election. In those cases, the Station will negotiate with candidates on a case-by-case basis to provide comparable benefits.
- **Value Added Features.** Advertisers on the Station sometimes may purchase value-added or promotional elements in conjunction with air time. Legally qualified candidates may purchase value-added elements on the same terms and under the same circumstances as the Station makes them available to commercial advertisers. However, the Station reserves the right to not make available to political candidates any particular value-added features that are of nominal value or that could imply a relationship between the Station and the candidate. The Station does not offer sponsored public service announcements to political candidates.

## **PREPAYMENT.**

The station requires that payment for political spots be made prior to the start of the schedule. Payment should be made in the form of cash, wire transfer, credit card, cashier's check or certified check. The Station requires payment in full prior to the scheduled airing of any advertisement. Federal candidates will not be required to pay more than seven (7) days in advance.

#### **CANCELLATION POLICY.**

An advertiser who has paid in advance for a flight of advertisements may cancel that flight, or part thereof, two weeks before the first spot is scheduled to run for a full refund or credit.

#### **SUBMISSION OF MATERIALS.**

For each political time order, the Station requests that a candidate provide an NAB political broadcast form (PB-18). Although the Station will use commercially reasonable efforts to clear orders promptly after they are received, candidates should submit orders and broadcast materials no later than one full business day before the advertising is scheduled to air. The Station cannot guarantee its ability to clear advertisements received later than this deadline, particularly in the weeks preceding an election, when demands on staff are particularly intense.

Where doubt exists, the Station may require proof satisfactory to the Station that the purchaser is authorized to buy time for the candidate and the candidate is legally qualified. Moreover, the Station will require a list of members of the executive committee or board of directors of any corporation, committee, association, or other group purchasing the time where such disclosure is legally required. These lists will be available for public inspection in the Station's on-line political file for two years at <https://stations.fcc.gov>.

Orders placed with the Station will not be confirmed until all of the required materials have been received and payment requirements (described below) have been satisfied.

#### **LOG GUIDELINES.**

TV logs close at 10a local time on the normal business day prior to actual air date (i.e., Tuesday's log closes at 10a on Monday). The exception relates to weekend log schedules and holidays. Holiday log schedules are available upon request. Deadlines including weekends are as follows:

Log Day	Copy Deadlines**	New order/revision/makegoods Deadlines
Monday Log	Friday @ 12pm Station Time	Friday @ 10am Station Time
Tuesday Log	Monday @ 12pm Station Time	Monday @ 10am Station Time
Wednesday Log	Tuesday @ 12pm Station Time	Tuesday @ 10am Station Time
Thursday Log	Wednesday @ 12pm Station Time	Wednesday @ 10am Station Time
Friday Log	Wednesday @ 12pm Station Time	Wednesday @ 10 am Station Time
Saturday Log	Thursday @ 12pm Station Time	Thursday @ 10am Station Time
Sunday Log	Thursday @ 12pm Station Time	Thursday @ 10am Station Time

## SPONSORSHIP IDENTIFICATION.

All political advertisements must contain sponsorship identification that complies with the requirements of BCRA, the FCC, the Federal Election Commission and applicable state and local laws.

All ads must include visual sponsorship identification in letters not less than 4% of total picture height broadcast for not less than four seconds. The Station will add the required sponsorship identification to any spots not containing it and may charge candidates for production costs in doing so on a commercially reasonable basis. *The Station will not add time to any spot to accommodate sponsorship identification.*

In addition to sponsorship identification, the following requirements apply:

- Elections for Candidates for Federal Office.** Ads authorized by a federal candidate or the candidate's committee must include a statement that identifies the candidate and states that he or she has approved the communication. The federal candidate must convey the statement either through an unobscured, full-screen view of the candidate making the statement or through a voice-over by the candidate, accompanied by a clearly identifiable photographic or similar image of the candidate, which must be at least 80% of the vertical screen height. The end of the spot must include a similar statement in writing. The written statement must appear in letters no smaller than 4% of the vertical picture height and must remain on screen for a period of at least four seconds. The written statement should also state the name of the person or entity that sponsored or paid for the spot.
- Elections for Candidates for State and Local Office.** Advertisers must include any disclosures required by applicable state laws. For example, to the extent required by law, the advertisement must include a statement that it is a political advertisement.

## **PRODUCTION FACILITIES.**

The Station will make its production facilities available to candidates and their representatives. Charges for production facilities are determined separately from charges for air time. All inquiries or requests concerning production time and facilities should be made through your sales representative or the Station's production department.

## **POLITICAL FILE.**

The Station maintains a political file of all requests for broadcast time made by or on behalf of candidates for public office; materials showing the disposition of each request; the rates provided for requests that are granted; and the lengths, classes, and time periods purchased. We retain the records in our political file for a period of two years. The political file is available for public inspection on line at <https://stations.fcc.gov>.

## **NEWS, WEEKEND ACCESS AND ELECTION DAY.**

The Station will accept political advertising during newscasts. The Station will permit federal candidates, but not state and local candidates, to place time orders and change or edit copy outside of regular business hours on the weekend before the election. Contact the Station for more specifics. In addition, the Station will accept political orders to run until 5:00 pm local time on election day, subject to availability of the class and time period requested.

## **NON-DISCRIMINATION POLICY.**

The Station does not discriminate in advertising contracts on the basis of race. Any provision in any order or agreement for advertising that purports to discriminate on the basis of race, even if handwritten, typed or otherwise made a part of a particular contract, is hereby rejected.

## **DISCLOSURE IS NOT AN OFFER TO SELL.**

THIS STATEMENT OF POLICY DOES NOT CONSTITUTE AN OFFER TO SELL ADVERTISING TIME, NOT IS IT A CONTRACT. RATHER, IT IS A STATEMENT OF THE POLICIES THAT THE STATION ATTEMPTS TO FOLLOW IN GOOD FAITH IN CONNECTION WITH THE SALES AND PLACEMENT OF POLITICAL ADVERTISING. THE TERMS OF ANY ACTUAL SALE ARE CONTAINED IN THE SALES CONTRACT AND NONE OF THE MATTERS IN THIS STATEMENT OF POLICY ARE INCORPORATED BY REFERENCE INTO THE SALES CONTRACT.



**STATION CONTACT.**

You can obtain more information regarding the Station's political sales practices and procedures from:

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Houston, TX 77056  
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