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## **WFLX Fox29 and Bounce POLITICAL DISCLOSURE STATEMENT**

The following policies and procedures will govern the sales of political advertising on WFLX: General Manager Jaime Kawaja ([jaime@wflx.com](mailto:jaime@wflx.com)) will manage all political spot sales placed through all national/local/regional advertising agencies. National Sales Manager Shawn Jackson will assist and facilitate as needed. ([shawn@wflx.com](mailto:shawn@wflx.com)) Station mailing address is 1100 Banyan Blvd West Palm Beach FL 33401. Telephone: 561.845.2929. All schedules are to be received in written form to expedite handling and recording in political files.

### **CANDIDATES FOR FEDERAL OFFICE**

Stations afford reasonable access by allowing purchase of reasonable amounts of time to legally qualified candidates for federal office.

### **STATE AND LOCAL RACES**

Stations generally sell airtime to legally qualified candidates for non-federal public office. However, we reserve the discretion to determine the amount of advertising that it will sell to state and local candidates. This decision would be based upon WFLX's obligation to afford reasonable access to federal candidates, the availability of inventory and the potential disruption to programming. Purchases of time by candidates for both federal and non-federal offices may be subject to the "equal opportunities" rights of opposing candidates in accordance with federal law.

### **LOWEST UNIT CHARGE ELIGIBILITY**

The following circumstances must co-exist to trigger applications of the lowest unit charge:

- The actual use of broadcast time must occur within the 45 days before a primary or a primary run-off or within the 60 days prior to a general or special election.
- The use must involve a personal appearance by the legally qualified candidate through his or her voice or image.

Stations will offer rates to qualified candidates outside of political window. Rates offered will be comparable to rates that would be offered to similar commercial advertisers and will not be subject to lowest unit charge provisions.

### **DESCRIPTION OF TIME**

The standard length of commercials is 30 seconds and all pricing is based on this unit length. Stations will also make a limited number of :10, :15, :60 and :120 length commercials available upon request; however, regular pre-emption policy does not apply to commercials of non-standard length. Please contact station for further detail on preemption policy on non-standard length commercials. Requests by federal candidates for program length commercials will be handled on an individual basis.

The classes of time that the stations sell follow: Advertisers should contact WFLX for updated estimates of preemption possibilities that would apply to specific availabilities being considered because preemption levels can vary greatly based on supply and demand.

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## Priority Levels

- P- 1 Non-preemptible provided inventory is available at time order is placed.
- P- 2 Preemptible with notice. Commercial can be preempted only by units purchased at the P-1 fixed rate. Rough estimate is 3-5% probability of preemption, depending on the program and weeks purchased. Contact station for details.
- P- 3 Preemptible without notice by advertiser purchasing at P-1 or P-2 levels. Makegoods will be offered in best available time periods. Rough estimate is 15-20% probability of preemption, depending on the program and weeks purchased. Contact station for details.
- P- 4 Immediately Preemptible without notice by advertiser purchasing at P-1, P-2 or P-3 levels. Makegoods will be offered in best available time periods. Rough estimate is 25-50% probability of preemption, depending on the program purchased. Contact station for details.
- P- 5 Immediately preemptible. Estimated rates are available upon request. Most P-5 rates that air during an election window are broad rotators. No notice will be provided for preemption, with no guarantee of makegood offers. If we are unable to replace spots preempted prior to the election, a refund will be provided. Preemption levels will vary based on available inventory and current demand, but a rough estimate is 80-90% probability of preemption, depending on the program or rotator purchased. Contact station if interested in more details.

In situations where preemption is required, preemption occurs from highest to lowest preemptible level (P-5 preempts first, then P-4, P-3, P-2 in that order.) In each class, spots are preempted based on “First In, Last Out” (FILO) sequence of purchase.

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

## **RATES**

Candidates should note that rates and lowest unit charges are subject to change and are reviewed on a weekly basis.

## **AVAILS**

Quoted availabilities are subject to prior sale.

Rotators and Direct Response Rates are available to selected advertisers. These rates and rotations are made available to qualified candidates. Common rotators are quoted on the rate card while customized section 6 rotators will be provided upon request. Direct Response rates and regulations are available upon request. Station will occasionally enter into Per Inquiry deals with reputable “PI” agencies. Should candidates wish to explore similar arrangements, requests should be directed to the General Manager.

If station has a “package” of advertisements scheduled, the individual rates used within the package will be available to a political advertiser should that rate establish a lowest unit charge.

Time purchases by a legally qualified candidate not using an advertising agency will be charged at 85% of the respective rates.

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Political advertisements sponsored by political action committees or political parties as well as issue advertisements, if accepted, do not qualify for the lowest unit charge provision and shall be sold at prevailing commercial rates.

Political announcements will be accepted for scheduling on Election Day.

Schedules may be subject to change and/or revision if required to provide equal opportunity for other qualified political candidates.

Stations will not offer or guarantee separation from other political announcements.

Wflx.com avails are quoted separately. All internet avails are priced at market rates based on supply and demand.

### **REBATES**

If a spot of the same class and length as a candidate's spot clears in the same time period in the same week at a lower rate, the station will rebate the difference in rates to the candidate. The station will review its records on a weekly basis and notify candidates of any rebates. The political broadcast week is Monday – Sunday. Rebate will be issued in form of credit against future time purchases or check issued to party making payment.

### **AUDIENCE DELIVERY GUARANTEES**

WFLX has entered into guaranteed rating point and guaranteed cost per thousand contracts with some advertisers. In the event of under-delivery, the station will make-good weight in the following quarter. As a general rule, station guarantees its most favored advertisers 90% actual ratings delivery against ratings estimates which are agreed upon prior to placement of the buy. In no instance does the station guarantee to post to more than 90%. If a political candidate wishes to purchase time on this basis, it must be negotiated in advance.

### **MAKEGOOD POLICY**

We will make every effort to offer make-good(s) of equal value prior to the election for P-1, P-2, P-3 and P-4 commercials. If necessary, makegoods for preemptible classes of time will consist of one or more spots with an aggregate value comparable to that of the preempted spot. In many cases the offered make-good will consist of a combination of spots in time periods other than that originally ordered. If a candidate rejects the offered make-good, we will provide credits or refunds for the preempted spots.

### **CANCELLATION**

An advertiser who has paid in advance for a flight of advertisements may cancel that flight, or any part thereof, five (5) or more days before the first spot is scheduled to run for a full refund or credit. Any advertiser who cancels less than five (5) but more than two (2) days before the first spot is scheduled to be run will receive a refund or credit for 50% of the amount paid for the cancelled spots. Any advertiser who cancels two (2) or fewer days before the first spot is scheduled to be run will receive no refund or credit for the cancelled spots.

### **ORDER PROCEDURES**

Orders for political time will not be considered "firm" until the station has received the following:

- Completed and signed "Agreement Form for Political Broadcasts" (NAB PB-18)
- Where applicable, list of members of the executive committee or board of directors of any corporation, committee, association or other group purchasing the time.

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- Satisfactory proof that the purchaser is authorized to buy time for the candidate and that the candidate is legally qualified.
- Advance payment for the ordered time as outlined in the following section.

### **ADVANCE PAYMENT REQUIREMENTS**

Payment for political advertising is to be received by the station not less than 48 hours before the start date. Payment for schedules starting on Saturday, Sunday or Monday should arrive by 2pm Thursday. For multi-week flights, we will require payment for only one week of the flight at a time.

The 48 hour advance payment requirement will not apply to orders placed on or after the Tuesday prior to the election. However, no political advertisement will be aired before payment has been received for all applicable time charges.

### **SUBMISSION OF MATERIALS**

Tapes are to be delivered to station 48 hours prior to scheduled air- date and be accompanied with written traffic instructions. The station will accept changes in instructions if they are in writing and copy is on hand at the station in accordance with the following deadlines: For Tuesday – Friday logs, deadline is 2p on previous day. For Saturday – Monday logs, deadline is 12n on Friday.

### **SPONSORSHIP IDENTIFICATION**

All political advertisements must contain sponsorship identification that complies with Section 73.1212 of the FCC's rules and with applicable federal and state election laws. Section 73.1212 requires political spots to contain visual sponsorship identification in letters not less than 4% of total picture height broadcast (no less than 20 scan lines) for not less than four seconds.

### **PRE-BROADCAST REVIEW**

WFLX reserves the right to review, prior to broadcast; any political spot or program to ensure that it is a "use" as defined by federal law and contains the proper sponsorship identification prior to the broadcast. Stations normally have no right or responsibility of censorship over the remarks of a legally qualified candidate; however the FCC allows us to place neutral advisory warnings before spots which station believes may be disturbing to children or seek other solutions.

### **PUBLIC FILE**

Political candidates, their representatives and the general public may review the WFLX political files at the station during regular business hours (Mon-Fri 830a-5p), or online at <https://stations.fcc.gov/>.

### **WEEKEND ACCESS**

We will permit federal candidates to place time orders and change or edit copy outside of regular business hours on the weekend prior to the election. Contact the station for more specifics.

### **PRODUCTION**

Production facilities and rates are available upon request and are not affected by lowest unit charge provisions. Staff personnel of WFLX may not appear on camera as part of a political telecast on behalf of a candidate.

### **Commercial Advertising Loudness Mitigation Act (CALM Act) Certification**

By purchasing time on the Station, each advertiser certifies that it has properly measured the loudness of the commercial or other content and has accurately reported that loudness, consistent with the Advanced Television Systems Committee (ATSC)'s "Recommended Practice: Techniques for

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Establishing and Maintaining Audio Loudness for Digital Television” (A/85), and any successor thereto approved by the ATSC.

**Compliance with Laws.**

By purchasing time on the Station, each advertiser certifies that the commercial or other content complies with applicable laws and regulations, including election laws and those regulating the use of content generated or manipulated by artificial intelligence.

**NOTE**

"Stations licensed to Gray Television do not discriminate in its advertising contracts, and it will not accept advertising intended to discriminate on the basis of race or ethnicity. Advertiser hereto affirms that nothing in this Agreement is intended to discriminate on the basis of race or ethnicity. "

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WFLX West Palm Beach, FL  
**A C K N O W L E D G E M E N T**

Advertiser has been advised that a variety of classes of time (preemptible and non-preemptible) and package options are available to advertisers at a variety of rates, and the purchaser has been furnished with all requested information concerning classes, rates, discounts, preemptibility, and package plans.

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Station Acknowledgement of disclosure to candidate

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Printed Name of Candidate

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Printed Title of Office Candidate is seeking

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How disclosure made available to Candidate  
(fax, mail, in person, e-mail, etc.)

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Phone Number of Candidate

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Email

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Date