

09/17/14

WBIR-TV POLITICAL DISCLOSURE STATEMENT

The following sets forth the policies and practices of WBIR-TV regarding the sale of time to candidates for public office. WBIR-TV reserves the right to revise these policies to the extent necessary to meet requirements of the Federal Communications Commission (“FCC”) and the Federal Election Commission (“FEC”). All federal candidates must comply with the requirements of the Bipartisan Campaign Reform Act of 2002. Candidates and their representatives are encouraged to contact WBIR-TV if further information is needed on any of the subjects discussed below.

1. Policy Applies to “Uses”

These policies apply only to “uses” by candidates; that is any “positive” (as contrasted with “negative”) candidate appearance, by voice or picture, in a non-exempt program. Equal opportunities apply to those uses that are positive in nature, even if not authorized by candidates or their representatives. These policies are not applicable to material provided by independent political action committees or to non-candidate authorized “issue” advertising.

2. Reasonable Access for Federal Candidates

All legally qualified candidates for federal offices are entitled to reasonable access to WBIR-TV’s facilities for the purchase of time during an election campaign. While WBIR-TV retains the ultimate discretion to determine the amount and placement of time sold to meet the needs of federal candidates, WBIR-TV will consider all requests for time and be available to make reasonable accommodations with respect to such requests in light of all relevant circumstances applicable to the candidate and WBIR-TV.

Candidates for non-federal offices are not entitled to reasonable access, and therefore they should contact WBIR-TV to determine the extent to which WBIR-TV is planning to accept spots for candidates competing in non-federal election races.

Purchases of time for both federal and non-federal candidates may be subject to the “equal opportunities” rights of opposing candidates in accordance with federal law.

WBIR-TV will attempt to place all orders subject to availability. Due to the potential “equal opportunities” obligations for opposing candidates, certain time periods may be limited or unavailable to candidates in other political races so that WBIR-TV may comply with the FCC’s requirement for equal opportunity.

WBIR-TV will not guarantee commercial separation protection to commercial or political advertisers. The station may also limit the access to local news programs.

3. Rates - Lowest Unit Charge: Comparable Rates

In specified pre-election periods, candidates will receive WBIR-TV's lowest unit charge (LUC) for political "uses." Such rates will be afforded to qualified candidates during the 45-day period prior to primary elections and the 60-day period before general elections. All other political advertisements, including those spots sponsored by independent political action committees or for non-candidate authorized "issue" advertising, are sold at regular prevailing commercial rates. The estimated LUC for each time period and class of time is shown on the attached rate card or will be provided upon request at the time an order is received. The lowest unit charge is determined on a weekly basis. Rate card data is subject to change in conformity to WBIR-TV's normal commercial sales practices, making it necessary for advertisers to reconfirm rates when placing orders.

Note: Federal candidates must provide the station with a certification acceptable to the station that they (and their authorized committee) have not and will not make any direct reference to another candidate for the same office in any broadcast unless the broadcast complies with Section 315(b)(2)(C) of the Communications Act as amended by the Bipartisan Campaign Reform Act of 2002. This certification must be provided before the pre-election windows if the candidate intends to receive statutory lowest unit charge benefits inside of the pre-election windows, and should be provided with the first order whenever possible.

Outside of these 45 and 60-day periods, the cost of political advertising appearances by candidates will be based upon the charges made by WBIR-TV for comparable use by other advertisers, including commercial advertisers. WBIR-TV does not promise lowest unit charges to candidates during this period. WBIR-TV's rate card is applicable to all of WBIR-TV's advertisers prior to the 45 and 60-day periods.

Special rates for program time and packages of spot announcements, as well as frequency and other discounts, are separately negotiated with various advertisers. Information regarding these availabilities and other factors that may be considered in negotiating advertising plans and rates will be provided by WBIR-TV upon request.

4. Orders

Orders for political time will not be considered firm for broadcast clearance until the following have been provided:

- a. Completed and signed Agreement Form PB16 for Political Candidates.
- b. Net cash-in-advance payment, for entire schedule, where required.

c. Where the purchase is made by a corporation, committee, association or other non-incorporated group, a list of the entity's chief executive officers or members of the executive committee or board of directors is required.

d. Where doubt exists, satisfactory proof that the candidate is "legally qualified," as that term is defined by the FCC.

e. Where doubt exists, satisfactory proof that the purchaser is authorized to buy time for the candidate.

f. Commercial facilities (tape, camera-ready artwork and copy), along with written instructions for their use, should be submitted to WBIR-TV as soon as possible to ensure proper airing. All instructions for airing of facilities must be received in writing by WBIR-TV (by letter, fax or e-mail) prior to the changes being made. Tape or camera-ready artwork should be received in sufficient time to permit confirmation of compliance with sponsorship identification requirements and with broadcast technical standards.

g. Deadlines for all commercial material, time orders and contract changes are as follows:

For spots airing on Deadline

Sunday & Monday	Friday 1:00pm
Tuesday	Monday 2:00pm
Wednesday	Tuesday 2:00pm
Thursday	Wednesday 2:00pm
Friday & Saturday	Thursday 1:00pm

The station will endeavor to meet copy request changes by 1pm for the next day's log.

Copy changes for the Saturday, Sunday and Monday immediately proceeding Election

Day will be accepted up to Friday, at 12:30pm.

Failure by a political advertiser to fulfill all requirements in advance of the deadlines may result in preemption of some or all announcements or programs previously cleared.

h. Confirmation of broadcast or changes to schedules as ordered will be sent to the political advertiser and placed in WBIR-TV's Public File as soon as possible. Access to WBIR-TV's public file is available, in person, during regular business hours. M-F, (830a-530p E.T.) Copies of materials are available \$1.00 per copy or up to 4 pages. Or you may visit <http://static.wbir.com/fcc-public-inspection-file/>.

5. Other Requirements; Credit Policy

All political orders must be accompanied by a signed and completed Agreement Form for Political Candidates in form satisfactory to WBIR-TV.

Unless the candidate, the candidate's campaign committee or the candidate's agency has established an acceptable credit history with WBIR-TV and will accept full responsibility for all the air time and production charges pertaining to the candidate, net cash payment must be received seven (7) days in advance of the broadcast of the first announcement scheduled in any contract. Announcements for independent political action committees or issue advertising must be paid in advance at the time that an order is placed.

6. Production

Station facilities may be utilized for the production of political announcements or programs, subject to available production time (rates furnished upon request). Production charges are handled separately from time charges. Agencies and/or candidates who schedule production time at WBIR-TV are required to provide good funds for payment of accrued charges immediately following the production session. No spots will air, nor will any dubs be ordered, until full payment is received. No WBIR-TV news talent is available for political advertising purposes, on-camera or voice-over.

7. Classes of Time: Availabilities

Our advertising rates are negotiated and established based on supply and demand. The rates vary within and among each class of time and due to overall market conditions/ advertiser demand at the time the order is placed. As the demand for inventory changes, our rates are adjusted to reflect the demand in our market for each class of our available inventory.

As the amount of political activity and the demands on our time become clearer, we will make available information about any changes made with regard to the inventory position of WBIR-TV. WBIR-TV will afford access to candidates for federal elective offices in light of all relevant circumstances applicable to the candidate and WBIR-TV.

Attached (as Exhibit No. 1) is a description of WBIR-TV's current classes of time; this also includes the estimated percent likelihood of preemption for each class of time. Important note: Since these estimates do not address specific time periods (as to which likelihood of preemption can vary widely), and do not furnish a reliable basis for future projections, it will be necessary for advertisers to request our current estimates before selecting a particular class of time on the basis of probability of clearance. For certain classes of time, prospects for clearance usually diminish as the election draws closer.

a. Legally qualified federal candidates may purchase time in all classes, subject to availabilities. The base availability is a 30-second commercial (including sponsorship identification). Commercial time is available in other lengths of 15, 60, 90, or 120 seconds. WBIR-TV may be unable to meet all requests for political advertising in news adjacent areas. Some allocation may be necessary to accommodate demands from various candidates in regard to various elections.

b. CANDIDATES SHOULD BE AWARE THAT, UNLESS A CONTRARY RESULT IS DEMANDED BY STATUTORY REQUIREMENTS, ORDERS FOR THE PURCHASE OF TIME MAY NOT BE FILLED DUE TO LACK OF AVAILABILITIES OF A PARTICULAR CLASS OF TIME. IN SUCH CASE, CANDIDATES WILL BE OFFERED A DIFFERENT CLASS OF TIME (IF AVAILABLE). THE EARLIER AN ORDER IS PLACED, THE GREATER THE SCHEDULING OPTION WILL BE.

c. Requests for non-standard length program time will be considered on an individual basis only. No promotional announcements (aside from a candidate's separately purchased spots uses) will be scheduled to promote political programs.

d. WBIR-TV reserves the right to reschedule confirmed political programs in the event of unforeseen conflicts, such as, but not limited to, the scheduling of special programs by the NBC Television Network, etc.

8. Non-Cash Merchandising and Promotional Announcements

WBIR-TV may offer various non-cash merchandising and promotional incentives to advertisers. There are two instances where these incentives are not available to political advertisers: (1) where the value of such merchandise is negligible ("de minimis") or (2) where the non-cash incentive plans or promotions reasonably imply a relationship between WBIR-TV and the advertiser.

9. Agency and Candidate Commissions

WBIR-TV customarily provides a 15% discount for advertising purchases made by an advertising agency. Political candidates and authorized campaign committees who purchase time for a “use” during the “lowest unit charge” periods without an advertising agency will be extended a 15% discount.

10. Make Goods

WBIR-TV will use reasonable efforts to provide “make good” spots prior to the election for candidate “use” spots that are preempted due to technical problems, program preemptions, or because of the nature of the time purchased. Depending on the class of time purchased, make goods may or may not be provided in comparable programming and/or before the end-date of the contract. If make goods are not acceptable to the advertiser, WBIR-TV will provide credits or refunds for preempted spots, at the option of the candidate.

11. Rebate Policy

In the event that WBIR-TV broadcasts advertising time for a particular length and class of time in a particular time period at a rate which is lower than the rate charged a candidate for a “use” (as defined above) of the same amount and class of time in the same time period, WBIR-TV will afford the candidate the benefit of the lower rate by means of a rebate or a credit against future purchases, as determined by the candidate.

12. Audience Delivery Guarantee

It is not the Station’s practice to guarantee rating point delivery for an advertiser. However, from time to time we do have advertisers who request an agreed upon ratings delivery. In such instances, should overall actual delivery fall below the agreed upon estimated delivery, we normally air additional spots to adjust to a mutually agreed upon level. To qualify for consideration, rating delivery must be agreed upon, in writing, in advance of the schedule. For Non-Political advertisers, our normal procedure is to require an advertiser to furnish a copy of a post analysis done by an acceptable method (i.e., Donovan, BMP, TVScan, etc.) and based on the Nielsen rating book for the quarter in which the schedule ran. This post is done on the entire schedule and not a particular daypart. Additional spots, if needed, are only if unsold time is available. If advertisers are not able to take advantage of this, we do not make other adjustments.

13. Sponsor Identification

The Station expects all federal candidates to comply with the requirements of the Bipartisan Campaign Reform Act of 2002. These requirements include new sponsorship identification requirements. It is the responsibility of the candidate, and not the station, to ensure that each candidate ad complies with applicable federal requirements. At a minimum, all spots and programming must comply with the sponsorship identification requirements of Section 317

of the Communications Act and applicable rules of the FCC and Federal Election Commission. Should candidate material not contain the proper FCC mandated sponsorship identification, WBIR-TV reserves the right to supply the required sponsorship announcements in accordance with federal law within the scheduled running time of political programming.

For a federal candidate to receive lowest unit charge, all advertisements that refer to opposing candidates must contain a printed statement that is displayed with a candidate picture. The printed statement must identify the candidate, state that the candidate approved the broadcast, and state that the candidate and/or the candidate's authorized committee paid for the broadcast.

WBIR-TV reserves the right to include a disclaimer before spots or programs which contain material that in WBIR-TV's reasonable judgment may have a disturbing impact on viewers. The general form of such disclaimer would be:

"The following political advertisement contains scenes which may be disturbing. Viewer discretion is advised."

WBIR-TV Statement of Policy

If the sponsor is an organized group, its name must clearly indicate its organized status by the inclusion of the word, "committee", "association", "club", or similar word in the title.

Under the Federal Election Campaign Act and the Federal Election Commission's rules, if a person makes an expenditure or solicits a contribution for the purpose of financing a broadcast which expressly advocates the election or defeat of a "clearly identified" candidate for federal office, the broadcast must identify whether a particular candidate "authorized" it, or no candidate authorized it. If a candidate both authorized and paid for the announcement, a "paid for" or "sponsored by" identification is sufficient.

However, if a non-candidate or third party paid for by the announcement, the identification must say "paid for (or sponsored by)..." and "authorized (or not authorized) by (name of candidate or committee)."

Sponsor identification for political messages on television must follow FCC guidelines. Audio identification is no longer required.

Visual identification must be provided on each announcement. Sponsor identification shall be identified with letters equal to or greater than four percent of the vertical picture height. (20 scan lines would constitute four percent). This identification should air for not less than four seconds.

Identification is required on all political announcements or programs regardless of length.

For broadcasts of five minutes duration or less, one sponsorship identification announcement must appear either at the beginning or conclusion of the broadcast.

For paid political announcements longer than five minutes, sponsorship identification must appear at the beginning and conclusion of such broadcast.

Required visual identifications must meet the following additional standards:

Must be within the safe title area as defined by the Society of Motion Picture and Television Engineers.

Must be viewable over a contrasting background.

WBIR-TV Statement of Policy

The sponsorship identification outlined above represents the minimum, which we have determined is required to comply with Federal Rules. A candidate may use any additional identification that he/she desires. As required by the FCC, WBIR-TV may add identification if deemed legally necessary.

All sponsor identifications must fall within the time unit purchased. Time units will be constructed under normal industry usage.

All videotape or film programs will be identified by an announcement that the program is “pre-recorded”.

14. Disclosure Statement Is Not an Offer to Sell

This is a statement of policies that WBIR-TV, in good faith, attempts to follow in connection with the sale and placement of political advertising “uses.” The terms of any actual sale are contained in our sale contract, and none of the matters in this disclosure statement are incorporated by reference in the sales contract.

15. Further Information

We will be pleased to provide, upon request, further information about our rates, advertising policies, packages and plans, and we encourage prospective political advertisers to inquire. It is our desire to furnish all appropriate information to those interested in purchasing political advertising on the station to assist you in communicating your message within our service.

16. Revisions/Waiver

These policies may be waived at WBIR-TV’s discretion in particular circumstances for good cause shown, but any such waiver shall not affect the continued general applicability of these said policies. WBIR-TV reserves the right to revise all policies regarding political broadcasts and make such changes as might be deemed appropriate in order to be in full compliance with FCC or FEC regulations with regard to political advertising. WBIR-TV will make available to advertisers information as to any material modification of policy.

17. Disputes

The Communications Act of 1934, as amended (the “Act”), establishes certain requirements for the sale of broadcast advertising time for use by or on behalf of political candidates. The FCC has adopted rules and policies to implement those requirements and has asserted its exclusive jurisdiction to enforce the Act. Complaints concerning the sale of political advertising by WBIR-TV should therefore be filed with the FCC, subject to judicial appeal provided by the Act. In order to ensure that material necessary to resolution of disputes is maintained, political advertisers should file complaints with the FCC concerning WBIR-TV’s political practices promptly. The FCC’s resolution of such complaint(s), subject to such judicial review as is provided by the Act, provides the sole and exclusive remedy for such complaints.

Questions regarding this policy should be referred to the WBIR-TV General Sales Manager, Beth Weissfeld, 1513 Bill Williams Avenue, Knoxville, TN 37917, Phone: (865) 637-1010.

THIS POLICY IS SUBJECT TO CHANGE

Class I – Fixed (Non-preemptible) will air absent of unforeseen circumstances, technical difficulties or to comply with Federal Regulations. 1-2% preemption probability.

Class II – preemptible with as little as 1-2 day's notice, 25% preemption probability, highest makegood priority,

Class III – Immediately preemptible (as little as no notice), 50% preemption probability, low makegood priority

Class IV – Immediately Preemptible without notice, includes orbits and rotators—70% preemption probability, lower makegood priority

Class V – ROS (Run of Schedule) – Immediately preemptible, 80% preemption probability, lowest makegood priority and may not be made good.

WBIR-TV does not accept “per inquiry” advertising. Direct response rates and time periods, which are immediately pre-emptible with no notice given and no makegoods offered will be provide upon request.

Under all circumstances, :10 second and :15 second announcements are subject to immediate preemption by longer length commercials.

Important note: Since these estimates do not address specific time periods (chances of clearances can vary widely with individual shows) and do not furnish a reliable basis for future projections, it will be necessary for advertisers to request our current estimates before selecting any particular class of time on the basis of probability of clearance. Prospects for clearance usually diminish as the election draws closer. Pre-emption percentages are likely to be higher in week's immediately preceding election.