

# EL DORADO

RADIO · EVENTS · DIGITAL

KZXY-FM (Y102 102.3)|KATJ-FM (Kat Country 100.7)|KATJ-HD (HD96.3)|KIXA-FM (Fox 106.5)|KXVV-FM (La "X" 103.1)|KIXW-AM (Talk960)

## **POLITICAL ADVERTISING DISCLOSURE STATEMENT EFFECTIVE ON AND AFTER JANUARY 17, 2024.**

The following practices apply to purchases of advertising time on radio stations for any "use" by legally-qualified Candidates for public office (i.e., any positive appearance of a candidate airing for four seconds or more, whose voices either identified or is readily identifiable). In order to qualify for this treatment, candidates or their representatives may be asked to demonstrate that they are legally-qualified. This Disclosure Statement is provided for general information as required by the rules and regulations of the Federal Communications Commission ("FCC"), and is not intended to be a part of any advertising sales contract, which is governed by applicable law and its own terms. Practices described herein are subject to change at the Station's discretion, to the extent permitted by law.

Legally qualified federal candidates are entitled to purchase time on the Station during their election campaigns. The Station will consider all requests for such time and will make reasonable accommodations to meet such requests. Although a federal candidate has the right to "reasonable access" to the facilities of the Station for the airing of political advertisements, the Station generally retains the right to limit the amount of time sold to a candidate and has ultimate discretion with respect to the specific placement of political advertisements. The Station will grant access to specified state and local candidates based, in the Station's sole discretion, on the public interest in the election and inventory. For a determination as to whether the Station will make time available for sale for certain local or state races, see the "Station Contact" information below.

During the 45 days preceding a primary election and the 60 days before a general election, the Station charges candidates in the respective elections the "lowest unit charge" for an advertisement if the advertisement constitutes "use" of the Station's facilities, as defined by the FCC. During any time outside of the 45-day and 60-day periods, the charges for candidate-purchased advertisements constituting a "use" are set so as to be no higher than those normally charged other advertisers for comparable use of the Station's facilities. Any political advertisement that is not a "use," including any advertisement purchased by a non-candidate or any advertisement dealing with non-candidate ballot issues, is sold at prevailing commercial rates. If a political advertisement constitutes a "use," the Station will provide opposing candidates with "equal opportunities," as established by federal law, to "use" the facilities of the Station. No federal candidate will be entitled to receive the Station's lowest unit charge unless the candidate provides the Station with a certification that the candidate will not make any direct reference to another candidate for the same office in any broadcast unless the broadcast complies with §315(b) (2) (D) of the Communications Act, as amended by the Bipartisan Campaign Reform Act of 2002.

**The terms and conditions applicable to political advertising on the Station are as follows:**

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**1. Rates.** The Station sells 60-second and 30-second spots from 6 AM to Midnight as reflected on the attached rate card. Most rates for both commercial and political advertising time sold on the Station are arrived at on an individually negotiated basis. Negotiated buys may, for example, include spots in a number of different rotations or day parts and combinations of different classes of spots. Rates for most classes of time vary on a weekly basis, based on supply and demand. The classes of advertising time offered to commercial advertisers are:

- a. Immediately Preemptive Spots Aired During Specific Rotations without Notice.  
Pre-emption probability 0-15%.
- b. Non-Pre-emptible = Fixed Position.  
Pre-emption probability 0-1%.
- c. Issue/Non-Candidate Rate = Offered to all non-candidates.  
Pre-emption probability 0-15%

**2. Sponsorship Identification.** All ads must comply with the sponsorship identification requirements of §317 of the Communications Act and § 73.1212 of the FEC's rules. The Station reserves the right to insert such sponsorship identification into any advertisement that fails to include the requisite identification even if the insertion of the identification causes a portion of the advertisement to be deleted. For a federal candidate to receive the lowest unit charge for the class of time purchased, all ads that refer to opposing candidates must contain a statement that is read by the candidate which identifies the candidate and office the candidate is seeking, and states that the candidate approved the broadcast.

**3. Credit.** Payment is due in advance of the start of contract, unless the order is being placed by an agent or other entity with a proven credit history with the Station. This agent or entity must accept full responsibility for all air time and production charges

**4. Political Agreement.** A completed Agreement Form for Political Broadcasts (PB-19) must accompany any time order.

**5. Proof of Candidacy.** The Station, at its option, may require the candidate to produce proof that he/she is a legally-qualified candidate.

**6. Notice and Weekend Access.** Orders must be placed and signed in advance of start.

Copy changes or cancellations require two business days' notice. Tapes and written instructions must be delivered to the Station two business days in advance of the scheduled air date. Deadlines for contract changes and commercial materials are:

1:00 pm Thursday for any items that will have a Friday through Monday air date.

1:00 pm daily for next day air dates.

Failure to fulfill all requirements in advance of the above-listed deadlines may result in preemption of some or all Advertisements. The Station cannot guarantee make-goods for schedules which do not air due to a delay in receipt of tapes/orders. Confirmation of broadcast or changes to Advertising schedules as ordered will be sent to the Candidate as soon as commercially possible, but will be available upon request at any time.

**7. Production Facilities.** The Station's production facilities will be available to produce commercials for political advertisers on the same terms as provided to commercial advertisers. On-air personalities may not voice political spots. Due to the

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COVID19 restrictions, some of our markets are not allowing any in person recording. Please check with you sales representative for recording restrictions.

8. **Schedules.** Although the rates charged by the Station are based upon the use of 60-second and 30-second spots, the Station will also try to accommodate requests for advertisements of non-standard lengths for federal candidates.

9. **Make Good Policy.** In the event of a missed spot, the Station will make good in the same day part within 7 days. If time prohibits making the spot good (e.g., missed on last day before election) the Station will refund the cost of the missed spot to the purchasing entity within 10 working days after refund is requested.

10. **Election Day Orders.** Political advertising will be accepted for broadcast on Election Day, depending on available inventory.

11. **Rebates.** If a new lowest unit charge is established after a political advertiser's purchase has been made or run, the Station will rebate the overcharge to the political advertiser within 10 working days or will credit the overcharge to the candidate's future time purchases, as the candidate directs.

12. **Local Public Inspection File (Political File).** The rules and regulations of the FCC require that each station maintain and permit public inspection of a complete record of all requests for broadcast time made by or on behalf of a candidate for public office, together with an appropriate notation showing the disposition made by the licensee of the requests, including whether such requests were granted and the amount charged. The disposition also includes the schedule of time purchased when the spots aired, the rates charged, and the classes of time purchased. Whenever free time is provided to a candidate, a record of the free time provided is placed in the local public inspection file. This information is retained in the Station's local public inspection file for two years. The local public inspection file for the Station is maintained at 11920 Hesperia Road, Hesperia, CA 92345 – also online at [HTTPS://PublicFiles.FCC.Gov](https://PublicFiles.FCC.Gov). Any member of the public, including opposing candidates, is entitled to inspect the materials placed in these files during regular business hours. No telephone, facsimile or mail request for local public inspection file information will be accepted.

13. **Station Contact.** Station's personnel will take questions and messages from candidates and their representatives. The Station seeks to provide sales services through one and only one sales person at the Station. At the Station, actual time buys and responses to questions will be handled by Jonathan Brewster Chief Executive Officer who can be reached by email at [sales@edbroadcasters.com](mailto:sales@edbroadcasters.com) or by phone at 760-881-3819.

14. **Newscasts/ News Adjacencies.** The Station does not permit political advertising within the Station News programming. However, advertising may air adjacent to newscasts as the Station spot break may occur at that location.

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## ACKNOWLEDGEMENT

I hereby acknowledge that I have been provided with the El Dorado Broadcasters, LLC "POLITICAL POLICY AND DISCLOSURE STATEMENT" dated JANUARY 17, 2024, and am therefore advised that a variety of classes of time (pre-emptible and non-pre-emptible) and package options are available to advertisers at a variety of rates. I further acknowledge that I have been furnished with all requested information concerning rates, discounts, pre-emptibility, clearance package plans, and opportunities for negotiation.

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\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Printed Name & Title**

\_\_\_\_\_  
**Printed Name of Firm or Agency (if any)**

\_\_\_\_\_  
**Printed Name of Candidate**

\_\_\_\_\_  
**Printed Title of Office Candidate is seeking**

\_\_\_\_\_  
**Phone Number of Candidate or Representative**

\_\_\_\_\_  
**Fax Number of Candidate or Representative**

\_\_\_\_\_  
**How disclosure was made available  
(Fax, mail, in person, e-mail, etc.)**

***El Dorado Broadcasters, LLC. Adheres to all political rules and regulations as dictated by the Federal Communications Commission.***

***El Dorado Broadcasters, LLC. and its subsidiaries do not discriminate on the basis of race or ethnicity in the sale of advertising in any medium (broadcast or internet) and will accept no advertising which is placed with an intent to discriminate on the basis of race or ethnicity.***