



## 2014 POLITICAL GUIDELINES



### Applicability

The policies of WSFX-TV with regard to political advertising apply **only** to uses by legally qualified candidates for public office or their authorized campaign committees; they are **not** applicable to purchases by candidates or others for non-"uses" (e.g., spots where the candidate does not appear by voice or picture), to purchases by political action committees or political parties that are not authorized by the candidate, to third-party endorsements, or to non-candidate "issue" advertising or advertising directed at ballot propositions.

### Access

The Station will provide reasonable access to all legally qualified federal candidates at least during the forth-five (45) days preceding the primary election and sixty (60) days preceding the general election. The Station will air political announcements and programs until 5:58 p.m. on the general election day.

Window for federal primary election: North Carolina: March 22, 2014- May 6, 2014  
Window for general election: September 5, 2014 - November 4, 2014

Legally qualified federal candidates may purchase advertising in all available programming, from all classes of time, as set forth on the attached rate card. The rate card provides the station's best good faith assessment of the lowest unit charge for each class; candidates may contact the station for more up-to-date estimates.

The Station will accept political advertising within and adjacent to its regularly scheduled news programming (with some exceptions); however, news sponsorships are not available to any political candidate.

### Identification

The FCC requires that spots authorized by a candidate or the candidate's committee contain the following visual disclaimer language: "Paid for (or sponsored) by [name of payor/sponsor]." *If this identification is not included or does not meet minimum FCC requirements, the Station reserves the right to add the appropriate sponsorship identification. However, the Station will NOT add time to the length of a spot to accommodate sponsorship identification.*

In addition, the FEC requires that federal candidates include in the spot a statement that:

1. identifies the candidate on whose behalf the time was purchased; and
2. states that the candidate approved the spot.

This requirement may be met with *either* an unobscured, full-screen view of the candidate stating this information *or* a voice-over by the candidate accompanied by a clearly identifiable visual image of the candidate, which must be at least 80% of the vertical screen height. In addition, a written statement including the same information must appear at the end of the spot in a clearly readable manner for a period of at least four seconds and occupying no less than 4% of the vertical picture height. The written statement also should state the name of the person or entity that sponsored or paid for the spot. If a candidate's sponsored spot airs on the Station and refers to an opposing candidate without including the foregoing enhanced sponsorship identification, that candidate is not entitled to the Station's lowest unit rate for that spot or for any spot run from that day through the remainder of the pertinent pre-primary or pre-election window. See "Rates," below.



## 2014 POLITICAL GUIDELINES



### Orders

Orders for political time may not be considered firm until the Station has received the following:

1. The Station requests that the candidate or his or her authorized representative complete and sign an **Agreement Form for Political Broadcasts**. The Station prefers the use of NAB Form PB-18 or more recent; copies are available from the Station. At a minimum, we will need the following information:
  - a. the candidate and federal office to which the request/order applies;
  - b. the class of time that is being purchased; and
  - c. the identity of the purchaser of the time, including the name of the candidate's authorized committee and the name of the committee's treasurer.
2. Net payment three (3) working days prior to air date, using cash or cash equivalent (check or money order). The Station will evaluate requests from candidates for credit on the same basis used to evaluate such requests from similarly situated commercial advertisers. In addition, if the candidate's advertising agency accepts full responsibility for payment of time charges in writing and qualifies for credit under the standards used by the Station to evaluate credit requests from commercial advertisers' advertising agencies, the Station will extend credit to the candidate's agency. Please contact the Station for additional information.
3. If a political advertiser does not place his/her order through an advertising agency, he/she is entitled to a 15% reduction in the gross time sales amount.
4. When the purchase is made by a corporation, committee association, or other unincorporated group, a list of the entity's chief executive committee or board of directors must be provided to the Station. (In the case of time purchased by a candidate's authorized committee, if the committee treasurer is the committee's only officer, the committee should so indicate.)
5. Where doubt exists, the Station may require satisfactory proof that the candidate is "legally qualified," as that term is defined by the FCC.
6. Where doubt exists, the Station may require satisfactory proof that the purchaser is authorized to buy time for the candidate, and that the spot or programming is approved, controlled or sponsored by the candidate or the candidate's authorized campaign committee.
7. Advance orders for schedules of political advertising will be subject to reconfirmation thirty (30) days before the start of the schedule, and are not considered final until that time. The Station reserves the right to recapture spot time, even after spots are reconfirmed, in order to meet equal opportunity or reasonable access requirements, or to comply with other legal obligations. If spot time is recaptured, the candidate will be advised as soon as practicable and an appropriate refund or credit, at the candidate's option, will be issued.
8. Commercial materials (tape, film, slides, or copy), along with written instructions for their use, should be submitted to the Station as soon as possible to ensure proper airing, but in any event not less than twelve (12) business hours before the advertisement's first scheduled air time. All instructions for airing of spots should be in writing. Any changes to these instructions should be made in writing to the Station (by letter, fax, or e-mail). Tape should be received in sufficient time to permit confirmation by the Station that the spot is a "use," and that it complies with sponsorship identification requirements and with broadcast technical standards. Advertisements that are not candidate-authorized "uses" or that do not conform to length specifications or broadcast technical standards may be rejected.
9. The Station will endeavor to accommodate all changes in broadcast traffic as early as possible; however, we cannot guarantee that we will be able to accommodate all last minute changes. We can *generally* complete all changes up to 12:00 noon for the next



## 2014 POLITICAL GUIDELINES



day's business (Thursday for Friday and Saturday; Friday for Sunday and Monday). Candidates should not assume, however, that the Station will be able to accommodate change requests received by this deadline, particularly in the days preceding an election, when demands on Station personnel are exceptionally high.

10. Federal candidates must submit the required sponsorship identification certification as described in the section on "Rates," below.

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

### Production

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

### Availabilities

Legally qualified candidates may purchase time from the Station for "uses" subject to availabilities.

- a. All lengths of spots are available to all legally qualified federal candidates (:10's, :15's, :30's, and :60's). Any deviations from the standard unit length (:30's) are limited and subject to greater preemptibility based on time period. Please contact the station for more information on non-standard unit lengths. Candidates should be aware that orders for the purchase of time made after 12:00 noon on the Thursday preceding electionday may not be filled due to lack of availabilities. The earlier an order is placed, the greater the scheduling options will be.
- c. Certain time periods may be unavailable for purchase when those time periods are committed because of the Station's compliance with its legal obligations. The Station reserves the right to recapture time, even after it has been confirmed, to satisfy opportunities and other legal obligations.
- d. Requests for programming avails and spots in non-standard increments from legally qualified federal candidates will be considered on an individual basis. No promotional announcements will be scheduled to promote political programs.

### Rates

The Station will offer every class of time at the lowest unit rate to legally qualified political candidates during the 45 days before a primary election and the 60 days before a general or special election. The Station will adjust rates in accordance with ordinary business practices, and lowest unit rates may change on a weekly basis, in keeping with our standard practice. During periods of high demand, clearance probability may change and increases in preemptions may occur. Outside of the pre-election windows, time is sold at rates comparable to those offered to commercial advertisers, and subject to comparable terms and conditions. Federal election law provides that a federal candidate is only eligible for the Station's lowest unit rate if the candidate provides "written certification" to the Station that the candidate and the candidate's authorized committee "shall not make any direct reference to another



## 2014 POLITICAL GUIDELINES



candidate for the same office" in a spot unless that spot complies with expanded sponsorship identification requirements. Note that this requirement applies to any "reference" to another candidate – not necessarily an attack or a negative reference. In addition to supplying certification – which should be made with *every purchase* of political advertising that would be entitled to lowest unit charge – the federal candidate must actually comply with the certification. If a candidate's sponsored spot airs on the Station and refers to an opposing candidate without including the enhanced sponsorship identification, that candidate is not entitled to the Station's lowest unit rate for that spot or for any spot run from that day through the relevant election window.

To satisfy the enhanced sponsorship identification requirements, the end of the spot must contain both a clearly identifiable photographic or similar image of the candidate and a clearly readable printed statement that identifies the candidate and states that the candidate has approved the spot and that the candidate's authorized committee paid for the spot.

The Station's classes of time are:

**Non-Preemptible Section P1** - Spots scheduled to air in a particular program at a precise time, break, or day, as specified by the advertiser. These spots may not be preempted in favor of any other advertisement and will air as scheduled excluding circumstances that are unforeseen or otherwise beyond the Station's control. Circumstances that may require a preemption include, but are not limited to, program changes, technical difficulties, breaking news, human error, or changes required to meet legal obligations such as equal opportunity and federal reasonable access requirements. Because the Station has a limited number of commercial avails, even "non-preemptible" time may be sold out. In this case, the Station will endeavor to locate a comparable area for placement of a candidate's time. Section P1 can preempt all other section levels.

**Fixed Section P2** Spots scheduled to air at the Station's discretion within or adjacent to the particular program, time period, daypart, or day as specified by the advertiser. These spots may be preempted only by Section P1 advertisements. Otherwise, Section P2 spots will air as scheduled excluding technical difficulties or other circumstances that are unforeseen or otherwise beyond the Station's control. Because the Station has a limited number of commercial avails, even "non-preemptible" time may be sold out. In this case, the Station will endeavor to locate a comparable area for placement of a candidate's time. Section P2 may preempt levels P3, P4, and P5.

**Immediately Preemptible with Notice 1 Section P3** - Spots scheduled to air at the Station's discretion within or adjacent to the particular program, time period, daypart, or day as specified by the advertiser. These spots **may** be preempted in favor of other advertisements upon 3 days (72 hours) notice to the advertiser. Section 3 may preempt levels P4 and P5. We believe, in our best good faith assessment, that advertisements purchased at this rate level have a 90% or better chance of airing. Notwithstanding this estimate, the likelihood of preemption depends on market conditions and demand on station's inventory, and will vary during the election season. Candidates may contact the station for a more current estimate of preemption likelihood for a particular flight. In case the spot is preempted, the station will endeavor to locate a comparable area for placement of a candidates time.



## 2014 POLITICAL GUIDELINES



**Immediately Preemptible with Notice 2 Section P4** - Spots scheduled to air at the Station's discretion within or adjacent to the particular program, time period, daypart, or day as specified by the advertiser. These spots **may** be preempted in favor of other advertisements upon 2 days (48 hours) notice to the advertiser. Section P4 can preempt P5 and commercial advertisers' spots purchased at package rates. We believe, in our best good faith assessment, that advertisements purchased at this rate level have 70% or better chance of airing. Notwithstanding this estimate, the likelihood of preemption depends on market conditions and demand on station's inventory, and will vary during the election season. Candidates may contact the station for a more current estimate of preemption likelihood for a particular flight. In case the spot is preempted, the station will endeavor to locate a comparable area for placement of a candidates time.

**Immediately Preemptible with No Notice Section P5** - Spots scheduled to air at the Station's discretion within or adjacent to the particular program, time period, daypart, or day as specified by the advertiser. These spots **may** be preempted in favor of other advertisements with no guarantee of advance notice to the advertiser. Section P5 can preempt section P6 and lower. We believe, in our best good faith assessment, that advertisements purchased at this rate level have 50% chance of airing but decreasing as inventory lessens. Candidates may contact the station for a more current estimate of preemption likelihood for a particular flight. In case the spot is preempted, the station will endeavor to locate a comparable area for placement of a candidates time.

**Run of Schedule (ROS)** - A form of immediately preemptible time in which the Station has wide discretion to schedule announcements when and as time is available. The Station will air as many ordered ROS spots as possible within the flight dates specified by the advertiser. If any ordered spots are not aired within the flight dates, the advertiser will receive a credit; no make-goods are guaranteed for preempted spots in this class of time. Candidates who are interested in ROS scheduling should contact the Station for an explanation of available time periods and rates.

**Direct Response** - Rates are available on request. Direct Response advertisements are scheduled to air at the Station's discretion within wide rotations as negotiated with the advertiser.

**Rotations** other than those shown on the attached rate card are available upon request. Please contact the Station for more information.

It is not the Station's practice to guarantee rating points delivery absent a written agreement. However, the Station may negotiate guaranteed ratings points delivery with advertisers who request that. If the Station and the advertiser reach agreement, the result of those negotiations is a written, mutually-agreed upon ratings delivery figure. To qualify for consideration, ratings delivery must be agreed upon, in writing, in advance of the schedule. Any shortfalls of that agreed-upon delivery cannot be calculated until Nielsen publishes its quarterly "ratings survey" results, known in the industry as Sweeps. In such instances, should overall actual delivery fall below the agreed upon estimated delivery, the Station normally airs additional spots to reach the mutually agreed upon level. THE STATION DOES NOT PROVIDE UNDERDELIVERY MAKE-GOODS ON THE BASIS OF OVERNIGHT RATINGS. If no "sweeps" books will be published during the pre-election period, the Station cannot provide political advertisers with underdelivery make-goods in accordance with its standard practice. However, the Station will make available to political advertisers the benefits of any underdelivery make-goods provided to commercial advertisers buying time in the same class and time period as political advertisers. Candidates should contact the station to negotiate an alternative to the station's standard underdelivery practices. Alternatives may include (1) rebates after the



## 2014 POLITICAL GUIDELINES



election to make good an audience underdelivery, or (2) an up-front discount on rates to compensate for the risk of audience underdelivery.

### Rebates

In the event the Station sells and broadcasts a spot in a particular class and for a particular time period at a rate lower than the rate paid by a candidate for the same amount of time in the same class and same time period, the candidate will be afforded the benefit of the lower rate, to the extent required by federal law. The Station will provide the candidate with either a rebate or a credit against future purchases, at the candidate's option.

### Make-goods

The Station will provide "make-good" spots prior to the election for candidate authorized spots that are preempted by other spots or due to technical problems or other circumstances beyond the Station's control, to the extent make-goods are provided to commercial advertisers or other candidates purchasing spots in the same class of time. Although the Station's policy is to offer all candidates make-goods before the election, we cannot guarantee to any advertiser that the make-goods can be provided in the specific program, time period, or rotation originally ordered. If inventory constraints preclude such identical scheduling, the Station will offer make-goods of equivalent value. If these are not acceptable to the advertiser, the Station will provide credits or refunds for preempted spots.

### Packages

Combinations of classes are available to candidates. The rate charged to candidates eligible for lowest unit charge for each ad in a package, however, will reflect the lowest unit charge for the class of time ordered. Please contact the Station for more information. The lowest unit rate for each class of time reflects package discounts.

### Weekend Access

The Station will NOT permit federal candidates to place time orders and change or edit copy outside of regular business hours.

### Cancellations

An advertiser who has paid in advance for a flight of advertisements may not cancel that flight within two (2) weeks of start date.

### Placement

The Station will endeavor to give protection within a break to candidates for the same political office. However, we do not guarantee "product protection" to any advertiser and, where scheduling so dictates, candidates' spots may be aired back-to-back with their opponents' spots.

### Public File

The Station's public file will be available for inspection during the Station's normal business hours (Monday through Friday 8:30 a.m.-4:30 p.m.). All requests to inspect political-file information contained in these files must be made in person. Copies of information contained in these files can be made for a nominal fee.

### Non-Discrimination Policy



## 2014 POLITICAL GUIDELINES



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

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



## 2014 POLITICAL GUIDELINES



### ACKNOWLEDGEMENT

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 rates, discounts, preemptibility, clearance package plans, and opportunities for negotiation.

\_\_\_\_\_  
Station Acknowledgement of disclosure to candidate

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

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

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

\_\_\_\_\_  
Phone Number of Candidate

\_\_\_\_\_  
Fax Number of Candidate

