



**2020 POLICIES AND PROCEDURES
FOR
POLITICAL ADVERTISING ON KMOV-TV
(DISCLOSURE STATEMENT)**

Following are the political advertising policies and procedures of KMOV-TV pursuant to the requirements of the Communications Act of 1934, as amended, and the Rules and Regulations of the Federal Communications Commission. These policies apply to purchases of advertising time for “use” by legally-qualified political candidates. A political advertisement or program involves a “use” if it is a “positive” non-exempt appearance by a candidate by recognizable voice or picture. The policies and procedures outlined below by no means supersede Federal, State or Local guidelines.

I. Use of Station

KMOV-TV will make advertising time available to legally-qualified federal candidates for use in connection with their campaigns in accordance with the Communications Act of 1934, as amended, and the Rules and Regulations of the Federal Communications Commission. KMOV-TV will consider requests for advertising time by legally-qualified candidates for state or local public office. Candidates or their representatives or agents who have any questions concerning the station’s policies in this regard should direct their inquiries to PAUL CONATY, MIDWEST NATIONAL SALES MANAGER, KMOV-TV, 314-444-3308, pconaty@kmov.com

II. Time Charges

Federal law requires that legally-qualified candidates who use a station’s air time in connection with their campaigns be charged no more than the “lowest unit charge” (LUC) for such use during designated base periods (45 days prior to a primary and 60 days prior to a general or special election) for each class, amount and period of time offered by a station. Outside of the 45 and 60 day LUC “windows,” the cost of political advertising uses by candidates will be based upon the charges for comparable uses by other advertisers, including commercial advertisers.

The LUC window for the Missouri Presidential Primary is 1/25 - 3/10/2020. The LUC window for the Missouri primary election is 6/20 - 8/4/18. The LUC window for the Illinois Presidential AND State Primary is 1/25 - 3/17/2020. The LUC window for the general election is 9/4 - 11/3/2020. The LUC is the lowest cost charged by the station for the same class and amount of commercially sponsored time for the same program or time period.

AVAILABILITIES:

- ❑ Legally qualified candidates may purchase time on the basis of any level set forth on the attached rate card, subject to availability. The base availability is a 30-second ad (including sponsorship identification). Ad time is available in other lengths of 10, 15, 60, 90 or 120 seconds, upon request, subject to availability.
- ❑ Candidates should be aware that unless a contrary result is demanded by statutory requirements, orders for the purchase of time made after 12:00 noon on the Thursday preceding Election Day may not be filled due to lack of availability. The earlier an order is placed, the greater the scheduling option will be.
- ❑ The station will place all orders as to day and time, subject to availability.
- ❑ Request for program time, including lengths of 5, 30, and 60 minutes will be considered on an individual basis. No promotional announcements (aside from a candidate's separately purchased spot uses) will be scheduled to promote political programs.
- ❑ Sellout Policy: When KMOV-TV experiences "sellouts" in various weeks by program, we require all advertisers to move up into a higher class of time. Our policy during political years is consistent with our normal business practices. In political windows when a program is "sold out" in any given week we require political candidates to move up to a higher class of time, or we offer programming that is still available at the class of time purchased.
- ❑ Preemption policy in sold out programs: When programs are sold out by week, KMOV-TV preempts by class. All live spots are preemptable without notice. Spots are preempted within a fair and equitable framework. (i.e. – Not all Ford spots are preempted in a given week regardless of rate within that class.)

RATES:

- ❑ Quoted rates are best estimates of pricing levels at which spots air; station sells on an "effective selling level" basis to commercial and political advertisers, and exact rates being sold at the time of purchase will be quoted upon request.
- ❑ Each separate class of time is offered to candidates at its lowest unit charge: The lowest clearing rate of the particular class of time ordered by the candidate for the same duration and time-period when the ad is broadcast during the 45-and-60-day periods before a primary or general election. The station will provide its best good-faith assessment of the lowest unit charge for each class upon request.

CLASS TIME DESCRIPTION:

Section 1 - Non preemptable/fixed

Section 2 - Preemptable with notice. (KMOV will endeavor to offer make-goods in like programming.)

Section 4 – Preemptable with no notice. (Make-goods may or may not be offered depending on station availability.)

With the exception of Non Preemptible Rate Section 1, each class of time has varying degrees of preemptibility based on rates and demand against KMOV-TV's inventory. An estimate of the degree of preemptibility for each class of time is outlined below. However, these are only estimates and these percentages may go up or down based on current market conditions.

Rates may change weekly to reflect demand within the marketplace; current estimates of LUCs for all classes of time in each period or program will be reflected on the avails provided to candidates.

The following are descriptions of classes of time available for purchase on KMOV-TV and the estimated degree of preemptibility.

Non Preemptible Rate Section 1 – is for spots bought at non preemptible rates, no negotiation. Non preemptible spots must be ordered for specific programs. Spots booked are non preemptible with the exception of the recapture of time if the station needs to recoup inventory for the purpose of providing candidates equal opportunity.

Preemptible with Notice Rate Section 2 –spots must be ordered for specific programs. Spots purchased at Preemptible with Notice Rate Section 2 are preemptible by spots purchased at Non Preemptible Rate Section 1. Preemptible with Notice Rate Section 3 spots are entitled to a make good if preempted. If KMOV cannot replace the spot in the daypart ordered, other comparable dayparts will be offered, or the spot will be credited back to the candidate. Preemption levels will vary based on the available inventory load and current demand.

Immediately Preemptible Rate Section 4 –spots must be ordered for specific programs. Spots purchased at Immediately Preemptible Rate Section 4 are preemptible by spots purchased at Non Preemptible Rate Section 1 and Preemptible with Notice Rate Section 2. Immediately preemptible Rate Section 4 spots have no guarantee of a make good if preempted. If KMOV-TV cannot replace the spot in the daypart ordered, or other comparable dayparts, the spot will be credited back to the candidate.

In the event that a spot is preempted due to a program change, technical difficulty, or circumstances beyond the station's control, the candidate or candidate's advertising agency will be contacted and a substitute makegood will be negotiated or a rebate will be provided.

KMOV-TV also sells direct response commercial advertising—those which provide a 1-800 number for response by the viewer—in broad rotations (for example, Saturday and Sunday, 11:00am – 6:00pm) on an immediately preemptible basis, with no notice and no makegoods offered; the chance of preemption ranges from 70-100%. Direct response rates are only offered in 60, 90 and 120 second announcements lengths. Candidates interested in direct response should make inquiry concerning rates and schedules. KMOV-TV does not generally accept direct response from commercial advertisers in second or fourth quarter due to increased demand for inventory during those times.

KMOV-TV periodically reviews and updates the pricing of its lowest unit charges for all classes, amounts, and periods of time, weekly and based on market demand. Candidates and their representatives should make inquiry concerning current rates and schedules.

REBATES: In the event that advertising time is sold to a commercial advertiser or another candidate at a particular level, and another spot of the same duration, class and time period clears at a rate lower than the rate paid by the candidate, the candidate will be afforded the benefit of the lower rate either by way of a timely rebate or as credit against future purchases, at the option to the candidate.

MAKE-GOODS: KMOV will use its best efforts to provide make-good spots prior to the election, for candidate “use” spots that are preempted due to technical problems or the nature of the time purchased. KMOV-TV will endeavor to create the best possible solution but cannot guarantee to any advertiser that the make-goods can be provided in the time period or rotation originally ordered. If inventory constraints preclude such identical scheduling, the station will provide credits or refunds for preempted spots. KMOV Channel 4 occasionally offers availability on a guaranteed audience delivery basis, under which make-goods may be given in some circumstances. Please be advised that audience measurement data, upon which analysis of audience delivery is made, may not be available until after the election. See KMOV CHANNEL 4 for details.

PACKAGES: Combinations of classes are available. Each ad ordered will reflect the appropriate class of time for lowest unit charge calculation purposes (e.g. two at level 1, one at level 2, and four at level 3).

ROTATIONS: Ads may be purchased in designated rotations among several designated days or time periods (e.g. Monday to Friday, 5:00 to 7:00pm, Monday to Saturday 5:00pm to 12:00am, Saturday/Sunday 12:00 noon to 7:00pm, Monday to Sunday sign-on to sign-off). Run of Station (ROS) announcements and Direct Response (DR) schedules are run as inventory permits. These spots are the first to be preempted and the station does not attempt to give an ROS advertiser advance notice of preemption or make-goods. If you are interested in purchased ROS, please contact your KMOV sales representative.

III. Reasonable Access

KMOV-TV will provide reasonable access to legally-qualified federal candidates, and will consider requests for time by candidates for state or local public office. Federal candidates' request for time will be considered on their individual merit based upon considerations which include, but are not limited to, the candidate's individual needs; the amount of time previously provided to the candidate; the potential disruption of regular programs which would accompany grant of the candidate's request; the number of other candidates likely to invoke equal opportunity or reasonable access rights; and the timing of the candidate's request.

IV. Commissions

- ❑ All rates are subject to the standard 15% agency commission. If a candidate does not employ an advertising agency, all rates will be discounted by 15%.

V. Deadlines and Copy

- All political advertisers are asked to execute the attached “Acknowledgement of Political Broadcasting Policies of KMOV-TV .”
- The standard KMOV-TV request for time form (sample attached) must be signed and received at KMOV-TV 72 hours prior to broadcast unless the amount of time before the election is less than 72 hours, in which event the form must be received prior to broadcast via facsimile or other means.
- Complete payment for each spot or program order shall be made to KMOV-TV no later than 72 hours prior to broadcast (payment must include not only time charges but also any production costs, which will be billed on the same basis as commercial production), and in any event prior to broadcast if 72 hours prior to the election. Exceptions may be made for candidates or agencies (which accept payment responsibility in writing) with an established credit history, consistent with the station’s policies applicable to similarly situated commercial advertisers.
- Commercial instructions and copy must be at KMOV-TV 24 hours in advance of broadcast.
- Sponsorship identification must be included on all political announcements and programs; must be visual, using letters all of which are at least 4% of the vertical picture height and must last at least 4 seconds; and must specify that the program or announcement has been “paid for by” or “sponsored by” the sponsor. If the sponsorship identification required by the FCC is omitted or does not comply with FCC requirements, KMOV-TV is required by law to add the required announcement. KMOV-TV will bill the candidate for the production expense consistent with KMOV-TV’s policies with regard to commercial clients. For programs longer than
- Five minutes, a sponsorship identification announcement must appear at both the beginning and end of the program.
- State and Local Candidate’s sponsorship identification must also include the specific words “Political advertisement” as required by Missouri State Law (i.e. “Political advertisement paid for by...”).
- Under the Bipartisan Campaign Reform Act (BCRA), in order to qualify for the LUC, a federal candidate (or the candidate’s authorized committee) must certify to the station in writing, at the time of purchase, either: (i) that the material to be aired will not make any direct reference to another candidate for the same office; or (ii) that, if the material will contain a direct reference, the spots will include a disclaimer to the effect that the candidate has approved the broadcast. The spot must contain: (i) a clearly identifiable photo or other image of the candidate; and (ii) a clearly readable printed statement, identifying the candidate and stating that he or she has approved the broadcast and that his or her authorized committee paid for it. The photo and the printed message must appear simultaneously at the end of the spot for no less than 4 seconds. Please note that these certification requirements apply only to federal candidates; state and local candidates are not required to certify in order to obtain the LUC. KMOV-TV reserves the right to deny LUC to any federal candidate that does not comply with BCRA.

This policy is subject to cha



**KMOV Channel 4, St. Louis
Request for Political or Issue Advertising - Broadcast Time Information**

Date: _____ Time: _____

Issue/Referendum **OR** Name of Qualified Candidate: _____

Political Party Affiliation: _____
(If Issue Advertising, designate "pro" or "con" above)

Office/Position Sought: _____

Location: _____
(i.e. Federal; State; City; Congressional District)

Committee Name: (E.G.: Committee to Re-elect....) _____

Treasurer Name: _____ Telephone: _____

Primary/General Election Date: _____

Name/Title of Person Making Inquiry: _____
(from committee/agency, etc.)

Address: _____

Telephone: _____ Fax: _____

Broadcast Information Requested: _____
(Such as length of spots; dayparts; flight dates; program time; etc.)

Agency of Record LETTER OF AUTHORIZATION attached? _____
(Substitute copy of Avail. Request on Agency Letterhead if LETTER OF AUTHORIZATION is not available.)

For Issue Advertisers only, also please attach list of chief of executive officers, or members of executive committee, or board of directors.

Disposition of Request: _____

KMOV Channel 4 Representative taking request: _____