



**2625 South Memorial Drive
Tulsa OK 74129**

**2015 KOKI-TV & KMYT-TV
POLITICAL ADVERTISING POLICY
&
POLITICAL RATE CARD**

PLEASE READ CAREFULLY!!!

**This policy and KOKI-TV and KMYT-TV advertising
rates/programming are subject to change**

**Revised
11/24/15**

GENERAL ELECTION 2015

INFORMATION CONCERNING POLITICAL ADVERTISING POLICIES OF KOKI-TV and KMYT-TV TULSA

The following describes the political advertising policies of KOKI-TV and KMYT-TV, adopted in compliance with 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 includes the recognizable voice or image of the candidate. Candidates may be asked to demonstrate that they are legally qualified. All federal candidates must comply with the requirements of the Bipartisan Campaign Reform Act of 2002.

Spot Announcements — Terms and Conditions

During the 45-day period before a primary election and the 60-day period before a general or special election (the “Pre-Election Window”), KOKI-TV and KMYT-TV will sell spot announcement time to political candidates on the same terms and conditions, including discount and other privileges, as are available to its most favored commercial advertisers. Pursuant to the Bipartisan Campaign Reform Act of 2002, no federal candidate will be offered the station’s lowest unit charge unless the candidate provides the station with a certification acceptable to the station that the candidate (and any authorized committee of the candidate) has 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 received before any purchase during a Pre-Election Window if the candidate intends to receive statutory lowest unit charge benefits and should be provided with the first order whenever possible.

As a general policy, KOKI-TV and KMYT-TV does not guarantee audience delivery for regularly scheduled programs. Additional KOKI-TV and KMYT-TV does occasionally guarantee the specific audience delivery of special event programming. As with all advertisers, KOKI-TV and KMYT-TV will negotiate with political advertisers on the same basis as with commercial advertisers, with respect to audience delivery. No audience guarantees, with any advertiser, are firm until they have been fully negotiated, including the terms of posting and specifically agreed to by the station in advance.

The following classes of spot announcements, each of which has a separate rate structure and lowest unit charge, are available:

- **Class 1: Non-pre-emptible time.** Spots purchased as non-pre-emptible are not pre-emptible by other advertisers will air as ordered except in the case of technical malfunction or unforeseen programming changes. In such cases makegoods will be provided as promptly as possible (and before the election) in comparable or better time periods.

- **Class 2:** Commercials bought at these rates have an estimated 60-95% chance of airing, depending on market demand. These spot announcements may be preempted in favor of other spot announcements with advanced notice to the advertiser. No class 2 spots will be preempted if there are class 3 or class 4 spots bought in the exact same time period in the exact same week. If preemptions should occur, the station will give notice and an attempt will be made to offer a makegood of equal audience value. Every effort will be made to makegood preempted spots purchased for use during the pre-election windows, before the election.
- **Class 3:** Commercials bought at these rates have an estimated 30-60% probability of airing, depending on market demand. These spot announcements may be preempted in favor of other spot announcements with advanced notice to the advertiser. No class 3 spots will be preempted if there are class 4 spots bought in the exact same time period in the exact same week. If preemptions should occur, the station will give 1 day notice and endeavor to offer a makegood of equal/lesser audience value. Every effort will be made to makegood preempted spots purchased for use during the pre-election windows, before the election.
- **Class 4:** Commercials bought at these rates have an estimated 0-30% chance of airing, depending on market demand. These spot announcements may be preempted in favor of other spot announcements with no advance notice to the advertiser.

The chance that pre-emptible spots will be pre-empted varies with the demand for time, which depends upon many factors such as the popularity of particular programs, the number of other advertisers seeking to purchase that particular program, economic conditions and similar considerations. As a result, the clearance potential of particular classes and types of spots cannot be predicted in advance with complete accuracy. Inquiry should be made at the time of order as to present estimates of clearance potential of various classes of spots purchased at various rate levels in various programs. These estimates do not guarantee clearance or level of pre-emptibility as demand can vary daily.

Candidates may purchase time at the estimated lowest unit charge or at higher negotiated rates (subject to the issuance of rebates).

All commercials and programs are fully commissionable to recognized agencies at 15%. Candidates who purchase time without use of an agency will be extended a 15% discount.

Section level key:

Class 1 correlates to Section P2

Class 2 correlates to Section P3

Class 3 correlates to Section P4

Class 4 correlates to Section P5

Program Time – Terms and Conditions

KOKI-TV AND KMYT-TV will, on appropriate request and consistent with Federal requirements, make program time available for use by legally qualified Federal candidates. If program time is desired, please contact the station directly for currently availability and rates.

Sales of Time outside the Pre-Election Window

If candidates purchase time for broadcast outside the statutory Pre-Election Window, rates and conditions of sale will be comparable to those charged and applied to commercial advertisers. Avails and rates will be provided to candidates for these periods on the same basis as to commercial advertisers. Candidates are not entitled to the lowest unit charge for time purchased for use outside statutory Pre-Election Windows but will be sold time at rates comparable to those paid by commercial advertisers. Volume discounts and similar discount privileges are available to candidates only on the same basis they are available to commercial advertisers during those periods. Rebates will be available only if required by equal opportunities and comparable rate requirements. The Station's policies concerning make-goods, the availability and pricing of package plans and other sales practices will be applied to political advertisers during non-window periods on the same basis as to commercial advertisers. Candidates purchasing time for broadcast outside of pre-election windows should inquire if they have additional questions about the Station's policies during these periods.

Availabilities

Attached hereto is a description of all programs, dayparts, rotations and packages generally available, and purchased by commercial advertisers on KOKI-TV AND KMYT-TV. The estimates of the lowest unit charge shown on that schedule are estimates only. Those estimates and the rates shown are subject to change in light of market conditions and actual clearances. Spots may also be purchased at different lengths than 30 seconds; these generally run as follows:

10-second spots are 50-60% of the 30-second rate

15-second spots are 65-75% of the 30-second rate

60-second spots are 200% of the 30-second rate.

KOKI-TV AND KMYT-TV may also make available other rotations upon request, and may negotiate special advertising packages (combinations of spots in various classes or rotations) tailored to suit the particular needs of individual candidates. KOKI-TV AND KMYT-TV may also engage in special promotions and if so, it will make such promotions available to political advertisers upon request. Please note that in calculating the lowest unit charge, KOKI-TV AND KMYT-TV will take into account the rates for spots, which are part of packages sold to commercial advertisers, and candidates who purchase time for use during the Pre-Election Window do not need to purchase packages in order to gain the advantage of package pricing.

All station sales of time for use by political candidates are subject to federal equal opportunities and reasonable access requirements.

Make-Goods

KOKI-TV AND KMYT-TV will provide “make-goods” prior to the election for candidate spots purchased for airing during the Pre-Election Window, which are preempted because of the nature of the time purchased, and will make every effort to provide a make-good in the same daypart or program purchased. However, it cannot guarantee any advertiser that make-goods will be provided in the time period originally ordered. If inventory constraints preclude identical scheduling, KOKI-TV AND KMYT-TV will offer make-goods in time period(s) of equal or greater value, or, if the candidate prefers, will issue credits or rebates.

Rebates

The lowest unit charge is the lowest per-spot price paid for the same class and amount of time during the same time period. In calculating the lowest unit charge, KOKI-TV AND KMYT-TV will take account of rates for spots, which are sold as part of packages.

Current estimates of the lowest unit charge and chances of preemptibility are attached. Because determination of the lowest unit charge cannot be made until after all time has aired in a particular week and because the rate levels at which time will clear vary with market demand, KOKI-TV AND KMYT-TV cannot guarantee its estimates of the LUC or of the preemptibility of various classes of or rates for time. All such estimates are subject to change in light of current market developments. Candidates should inquire at the time of order as to current estimates of the LUC and pre-emptibility.

On a weekly basis, KOKI-TV AND KMYT-TV will review purchases of advertising by commercial and political advertisers. If that review indicates that political candidates are entitled to rebates in order to comply with federal requirements, every effort will be made to issue rebates (or, at the candidate’s option, credits) within ten (10) days and, to the extent possible, prior to the election.

Ordering Procedures

All political advertisers are asked to execute the attached “Acknowledgment of Political Broadcasting Policies of Station KOKI-TV AND KMYT-TV.”

Payment in full is due at the time of the order but no more than one week before the schedule is to start. Exceptions may be made for candidates or agencies (which accept payment responsibility in writing) with an established credit history, consistent with KOKI-TV AND KMYT-TV’s policy with respect to similarly situated commercial advertisers. No scheduled time will be considered firm until KOKI-TV AND KMYT-TV has confirmed and accepted the order and payment is received. All payments must be made by check, cash or money order. All political advertisers must provide complete information concerning the entity or individual who is paying for the advertisement, including the identity of its chief executive officers or members of its executive committee or board of directors.

KOKI-TV AND KMYT-TV reserves the right to recapture spot time sold to a candidate to meet equal opportunities or reasonable access requirements of the Communications Act of 1934, as amended. If spot time is recaptured by KOKI-TV AND KMYT-TV, the candidate will be advised as soon as practicable and an appropriate refund will be issued.

All advertising contracts and production materials should arrive at KOKI-TV AND KMYT-TV two (2) working days in advance of broadcast in order to ensure compliance with sponsorship identification requirements, KOKI-TV AND KMYT-TV technical standards and the provisions of this policy.

KOKI-TV AND KMYT-TV will allow candidates to purchase time on Election Day.

Sponsorship Identification

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 political announcements and programs must include a sponsorship identification announcement which fully and accurately identifies the organization or individual which has paid for the commercial, using the terms “paid for by” or “sponsored by.” Such sponsorship identification must be visual, must last at least four seconds, and must use letters which are all at least 4% of vertical picture height. If an announcement or program does not include the required sponsorship identification, KOKI-TV AND KMYT-TV will add the necessary information and charge the candidate production charges in accordance with its practices applicable to commercial advertisers. 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.

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 Federal Communications Commission [“FCC”] has adopted rules and policies to implement those requirements and asserted its exclusive jurisdiction to enforce the Act. Complaints concerning the sale of political advertising by the Station should therefore be filed with the FCC, subject to judicial appeal as 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 the Station’s political practices and policies 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.

Other Matters

The Station maintains a public inspection file at <https://stations.fcc.gov/>

Please contact Kari Barrett-Bivins, National Sales Manager, (918) 388-5245, if you have any questions concerning the political advertising policies or rates of the station.

CERTIFICATION

I am a candidate for the federal office listed below. Pursuant to 47 U.S.C. § 315(b), I hereby certify that neither I nor any of my authorized committees have or will make a direct reference to another candidate for the federal office listed below unless such reference meets the requirements of 47 U.S.C. § 315(b)(2)(C) of the Communications Act as amended by the Bipartisan Campaign Reform Act of 2002.

I certify under penalty of perjury that this certification is accurate as of the date hereof.

Candidate Name (printed)

Federal Office

Authorized Campaign Committee (printed)
(if signing for the Candidate)

Signature

Date:

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If I am an agent acting on behalf of a candidate, I certify that I have made full disclosure to the candidate of the information provided to me by KOKI-TV AND KMYT-TV concerning its political advertising policies, and, if not, that I have been specifically authorized by the candidate to purchase advertising on his or her behalf without the need to make such full disclosure. I further represent that I am authorized by all candidates on whose behalf I purchase time to agree to the terms and conditions set forth herein.

By: _____

On Behalf of: _____

Date: _____