



## FROM THE EDITOR

Alec Baldwin's character in Glengarry Glen Ross is famous for saying, "A-B-C. A-Always, B-Be, C-Closing. Always Be Closing. Always be closing." It's what sales managers across the country try to impart on their staffs. Always be looking to close business. It's how radio and television stations keep the lights on. Here at the Massachusetts Broadcasters Association we're happy to do as much as we can to help your staff follow "A-B-C." Our partners at LocalBroadcastSales.com offer hundreds of on-demand videos to give your sales staff the tools to do their jobs. Radio. Television. Digital. It's all there. If you don't find it there you can always "Ask LBS." "Ask LBS" is the forum where your staff can ask some very specific questions and get them answered by an LBS sales expert.

On top of all of the great offerings from LocalBroadcastSales.com, this year's Sound Bites event will see a real, live speaker! Paul Weyland will be in town to present "Think like an Adman and sell like a Madman." Paul is one of the foremost media sales speakers in the country and we are very excited to be able to bring him back to Massachusetts. Make sure to mark your calendars for Sound Bites, November 1, 2012.

Not enough, you say? Ok, ok. We hear you. Apply for a Continuing Education Reimbursement, new to MBA members this year. Fill out the application and the MBA could pay up to \$500 towards an industry related seminar, webinar, book, cd/dvd, college class, etc. etc. More information online at MassBroadcasters.org.

*Jordan Waltan*

# SOUND BITES 2012

## Annual Meeting & Mingling

Did you come to the MBA's Sound Bites event last year? Well forget what you saw, because this year we're going bigger and better and you won't want to miss it!

Mark your calendars for Thursday, November 1st. This year, we're holding the event at the Crowne Plaza Hotel in Natick, MA.

The first thing that's getting bigger? Our speakers. Building off of a great 2011 talk on all things social media by LocalBroadcastSales.com founder Stephen Warley, we're bringing in not one, but TWO nationally recognized speakers in 2012.

For all the sales guys and gals, Paul Weyland will be back for the first time since 2008. Paul has made a name for himself speaking to and working in executive level positions in the television and radio business. He has shown hundreds of organizations how to cut through the confusion of marketing, reach into the hearts and minds of their customers, close more sales, increase their bottom lines and keep customers for life.

And we didn't forget you, programmers and jocks! Valerie Geller will speak concurrently with Paul Weyland. Valerie works with broadcasters throughout the world to increase audiences and create powerful News/Talk, Information and Personality radio. She helps stations, networks and broadcast programmers achieve top ratings through risk, originality and creativity.



### Excited yet? Wait, there's more!

After our seminars, the evening will continue with a cocktail reception, complete with a full bar, food and entertainment. Then, we'll introduce you to the newly formed MBA broadcasting awards! See the Sound Bites insert for more awards information. Our "official" Call For Entries will hit your mailboxes in early July.

The MBA will be using BestInBroadcasting.com, a fully electronic entry submission, and judging website. Your staff won't have to worry about burning CDs and DVDs, dealing with postage, etc! Have your programmers and production managers log on today to create an account.

We look forward to putting on an unbelievable event in 2012! Be sure to contact the Massachusetts Broadcasters Association for more information at [jordan@massbroadcasters.org](mailto:jordan@massbroadcasters.org).



Paul Weyland



**Ray Auger, Multi Media Director from WMRC-AM in Milford displays the Mighty Red HD Radio they won in the last MBA Connected to the Community contest.**

**mba** Massachusetts Broadcasters Association  
1-800-471-1875

### VISIT US ONLINE AT [WWW.MASSBROADCASTERS.ORG](http://WWW.MASSBROADCASTERS.ORG)

Job Banks | Member Lists | Legal Information | Everything You Need To Keep Your Station Up-To-Date

## Community Events Request

The Massachusetts Broadcasters Association wants to know, "What has your station been up to lately?" Have you held a wicked cool contest that your station is still buzzing about? We want to hear from you! Send your station success stories along with any photos you want to share to [ashea@massbroadcasters.org](mailto:ashea@massbroadcasters.org). We'll feature some of the best entries in future Airwaves newsletters! We might even send you a little something to say "thank you" for the entry!

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# AIRWAVES

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## FCC mandates public files to be placed online

On April 27, 2012, the Federal Communications Commission updated rules requiring television stations to transition their public files from being available on paper in the television stations building, to being available online. FCC Chairman Julius Genachowski and Commissioner Mignon Clyburn approved the measure, while Commissioner Robert McDowell approved in part and dissented in part.

The rules will only apply to ABC, CBS, NBC and Fox affiliates in the top 50 television markets for the first two years. This will include Boston (#7), but not Springfield-Holyoke (#114) or Providence-New Bedford (#53). All other stations will be required to have their files online by July 1, 2014.

Stations will be required to upload all files required to be in a public file but not already filed with the FCC. This includes "citizen agreements, certain EEO materials, issues/programs lists, children's television commercial limits records, donor lists for NCEs, local public notice announcements, time brokerage agreements, must-carry or retransmission consent elections, joint sales agreements, Class A continuing eligibility documentation, materials related to

FCC investigations (other than investigative information requests from the Commission), and any new political file materials." The FCC will transfer any files already sent to them.

All three FCC Commissioners voted in support of placing public files online. Commissioner McDowell's dissent was regarding political files. Echoing his speech from the NAB Show, Chairman Genachowski stated that the order was "common sense." Regarding his dissent, Commissioner McDowell wrote about a 2007 FCC vote on this issue saying, "All of us recognized the unique history and practical realities of the political file requirement and how those contrasted with the history and intent of the general public inspection file rule." Further, he noted, "The record in this proceeding contains ample evidence that posting rate information online may cause market distortions, including price signaling, which could lead to rates mysteriously rising in some markets, or other unforeseen consequences in other cases."

In a statement from the NAB, spokesman Dennis Wharton wrote, "By forcing broadcasters to be the only medium to disclose on the Internet our political rates, the FCC jeopardizes the competitive standing of stations."



Broadcasters, including the National Association of Broadcasters, ABC, CBS, NBC and Fox affiliate groups, along with 49 State Broadcasters Associations, filed a compromise proposal with the FCC that would have provided transparency concerning political candidate spending while avoiding the anti-competitive impact of online disclosure of per-spot rate information. The proposal was quickly dismissed during the FCC proceeding. The FCC did include language that suggested it would review the impact of placing political rates online after one year.

Not giving up, the NAB filed a petition with the U.S. Court of Appeals on May 21, challenging the constitutionality of the order stating the rules are "arbitrary, capricious, in excess of the commission's statutory authority, inconsistent with the First Amendment, and otherwise not in accordance with the law."

This one's not going away anytime soon. Stay tuned to the MBA blog and social media outlets for more updates on this important issue.

## IN THIS ISSUE



LETTER FROM THE EDITOR



POLITICAL ADVERTISING RULES



CONTINUING EDUCATION REIMBURSEMENT PROGRAM



SOUND BITES ANNUAL MEETING & MINGLING

OFFICIAL NEWSLETTER OF THE MASSACHUSETTS BROADCASTERS ASSOCIATION

# Political Advertising Rules – The Basics!

With another political season on the horizon, here are a few basics when it comes to political advertising on radio and television.

## First, the advertising windows:

- **Equal opportunities.** A station is obliged to provide equal opportunities as soon as a candidate becomes a “legally qualified candidate” and then appears on the air in a non-exempt appearance. In this connection, primaries are considered separate elections from the general election. Thus, if there are two Republicans running for one seat and one Democrat, neither of the Republicans would be considered an opponent of the Democrat until after one of them was selected in the primary. After the primaries, all candidates for specific seats (Republicans, Democrats, other parties, and independents) are all considered opponents of each other.
- **Reasonable access.** The statute states that commercial broadcast stations must make a reasonable amount of airtime available to candidates for federal office, but a Supreme Court case has stated that this is “at a minimum” and that the actual requirement extends back as soon as the election is determined to be “in full swing”, which could be many months earlier.
- **Lowest unit charge.** This period extends 45 days before primaries (9/6 in MA, 8/14 in CT, 9/11 in NH and RI) and 60 days before general elections or run-offs and applies only when the candidate’s voice or photo is shown and when the ad is purchased by the candidate or his direct representative (usually his campaign committee).

## Frequently asked questions:

**Where can you find the laws on political programming?**

All of these statutes and rules are conveniently contained on the FCC’s website ([www.fcc.gov](http://www.fcc.gov)) under material for the Media Bureau.

**Who is covered by the FCC’s political rules?**

Generally speaking, the FCC’s political rules pertain to legally qualified candidates – federal, state and local. Three requirements must be met for one to be considered a “legally qualified candidate.” First, the person must publicly announce his or her intention to run for office. Second, the person must be qualified to hold the office (e.g., must have satisfied appropriate age and residency requirements). Third, the person must meet appropriate state regulations for running, such as filing the necessary signatures or filing fee with the local election commission.

**Which candidate appearances do not create a right of equal opportunities for opponents?**

Appearances on bona fide newscasts, regularly scheduled news interview programs, news documentaries if the appearance of the candidate is incidental to the documentary’s subject matter, and on-the-spot coverage of bona fide news events (including candidate debates and political conventions). When the newscaster, interviewer, moderator or narrator of such broadcasts is a candidate for office, however, his or her appearance is not subject to these exceptions, and equal time will apply.

**When can a station refuse to carry political advertisements?**

At the very least, within 45 days of primary elections and 60 days of general elections, commercial radio and television stations must provide reasonable access to all candidates for federal office, which includes access to all of a station’s day parts. Federal candidates are not entitled to an unlimited amount of time – only a reasonable amount – and what is “reasonable” will vary from situation to situation. Stations do not have to provide free time.

Commercial broadcast stations are not required to provide reasonable access to state and local candidates.

**What control over the content of a candidate’s programming does a station have?**

Virtually none. By law, a station cannot censor the content of a candidate’s political “use” on the air. The only content element that a station can insist upon is that the sponsorship identification be consistent with FCC rules.

**How much can a station charge a candidate for paid advertisements?**

Within 45 days of primary elections and 60 days of general elections, broadcast stations cannot charge candidates more than the lowest amount they would charge their most favored commercial advertiser for a similar ad. A station will likely have many “lowest unit charges” because it usually has different charges for different time slots and different classes of time.

If you have questions concerning the Federal Communications Commission’s political programming rules with respect to radio or broadcast television you can contact the FCC political programming staff by calling their main number at (202) 418-1440 or by emailing them at [campaignlaw@fcc.gov](mailto:campaignlaw@fcc.gov).



LEFT TO RIGHT: Alex von Lichtenberg (WUNI/WUTP-TV), Joe Flynn (WSRS/WTAG), MBA Chairman Bill Pepin (WWLP-TV), Senator Scott Brown, Tom McAuliffe (WMRC-AM), Bill Macek (WPKZ-AM/FM), Bill Fine (WCVB-TV)

## Another successful trip to D.C. for the MBA

Recently, representatives of the Massachusetts Broadcasters Association traveled to Washington, D.C. to call on important members of the Massachusetts Congressional delegation as part of the National Association of Broadcasters State Leadership Conference. The Conference is designed to educate broadcasters on current legislative issues before they conduct meetings with their local Congressional leaders. This year the MBA had meetings with Sen. Scott Brown, Rep. Richard Neal (MA-2), Rep. Bill Keating (MA-10), Rep. Jim McGovern (MA-3), Rep. Ed Markey (MA-7), Rep. John Tierney (MA-6) and Rep. Mike Capuano (MA-8).

The MBA delegation thanked each member of Congress for their continued support and offered to assist those members with new or changed districts in identifying new radio and television stations in their districts. Among the issues discussed were retransmission consent, the performance tax and spectrum auctions. Our talks were very productive and the MBA appreciates the time our Representatives and Senators give us every year. Each conversation boiled down to the most important service we broadcasters provide to our listeners and viewers: localism. Each of our broadcasters stressed the importance of local broadcasting to the citizens of Massachusetts. From local news, sports, weather, entertainment and emergency information, we play a vital role in the lives of Massachusetts residents and with their support will continue to do so for years to come.



MBA Board Members with Rep. Richard Neal (MA-2)



MBA Board Members with Rep. Bill Keating (MA-10)



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MBA Board Members with Rep. Ed Markey (MA-7)



MBA Board Members with Rep. John Tierney (MA-6)



MBA Board Members with Rep. Mike Capuano (MA-8)

## The Continuing Education Reimbursement Program

The MBA is well into our inaugural year of its newest member benefit, the Continuing Education Reimbursement Program. The Massachusetts Broadcasters Association will reimburse up to \$500 for industry-related courses, webinars, conferences, seminars, books, or any training aimed at broadening the knowledge and skill-set needed for your broadcasting career. Do you want your sales team to learn how to sell social media as more than just added value? Have them sign up for a social media webinar and apply for the funds needed to cover the cost! Would your Chief Engineer benefit from a training course on the newest software? Mass Broadcasters could pay for up to \$500 of the cost of that course!

Sound too good to be true? We promise it’s not. But don’t just take our word. Just ask Lawrence Crook of WCVB-TV:

“My name is Lawrence Crook and I’m an assignment desk editor at WCVB-TV. I recently made the bold decision to go back to school and continue my education. I applied to Boston College where I intend to finish my bachelor’s degree and was accepted with open arms. While I was excited about going to BC, I knew how expensive their courses are and I was afraid of how I would pay for it all. Only a few weeks after starting my courses, I learned of the scholarship opportunity presented by the Massachusetts Broadcasters Association. Was this too good to be true? I tried my hardest not to get too excited about this opportunity and eagerly applied in hopes I would receive the tuition reimbursement. A few weeks later I was elated to learn I would be awarded the payment! Honestly, words couldn’t describe how truly touched I felt. The MBA sent the check to the General Manager of WCVB, Bill Fine, who presented it to me with a big smile on his face. I was delighted to discover the MBA understands the importance of education and helps people achieve their goals by offering financial assistance opportunities. I will never forget the generosity shown by the MBA and I hope one day I’ll get the chance to pay it forward.”

Applying for the Continuing Education Reimbursement Program is easy! Visit [MassBroadcasters.org](http://MassBroadcasters.org), click on Member Benefits and complete the application. The review process is brief, but reimbursement dollars are limited and on a first-come, first-serve basis. Don’t miss out on this opportunity!



“ I tried my hardest not to get too excited about this opportunity and eagerly applied in hopes I would receive the tuition reimbursement. A few weeks later I was elated to learn I would be awarded the payment! ”

Lawrence Crook

