



International Delegation Tours Sacramento Television Station

BROADCASTER



In partnership with the Northern California World Trade Center, your CBA recently hosted a group from the Edward R. Murrow Program for Journalists. This Program invites young, talented journalists from all over the world to travel the USA and examine our newsroom practices. Each October and November, more than 150 foreign journalists participate. The Sacramento visit involved eleven journalists working in the emerging independent media outlets in Europe and Asia.

Your CBA hosted a luncheon where President/CEO Stan Statham gave them an overview of political news reporting and media coverage of civic life in California. The meal was followed by a "behind-the-scenes" tour of television station KXTV in Sacramento. The journalists were impressed with the station hardware, the professionalism of the staff, and the integration of broadcast and Internet technologies.



Special thanks to KXTV President and General Manager Maria Barrs for hosting the 2011 delegation.



The delegation enjoyed a wide ranging discussion of day-to-day broadcast operational issues with station President and General Manager Maria Barrs. They were also able to observe and discuss the editorial process of picking stories and assigning reporters to cover the events of the day with news director Tim Geraghty.

California License Renewal and Licensee Certifications

Gregg Skall - Womble Carlyle Sandridge & Rice, LLP

California's renewal application filing date for radio is August 1, 2013 and 2014 for TV. With an eight year renewal term, this will be the first renewal application for many. Even if they've been through it before, many others may have not yet focused on some of the new renewal form certifications. One that has received a lot of attention is a requirement to certify that the station has not accepted any "no urban dictate" advertising.

Another certification that has received less notoriety, yet warrants some attention to bring it into the consciousness of licensees, deals with stations that have gone off-the-air. Section III, Item 5 of the renewal form requires the licensee to certify that the station was not silent for any consecutive 12-month period during the preceding license term. If an applicant cannot make this certification, its license renewal application will be dismissed and the Commission's database will be amended to reflect the expiration of the station's license.

Congress added section 312(g) to the Communications Act to prevent warehousing of station licenses and broadcasting spectrum. It provides that if a broadcast station fails to transmit broadcast signals consecutively for 12 months, the station license expires by law, without any further action by the FCC. Some broadcasters who have exceeded the 12-month dark period and have yet to be notified by the FCC may not even realize that they have no license to renew.

The licensee must also certify in Item 6 of the renewal form that the station is currently on the air broadcasting programming intended to be received by the public. The Commission will not renew a station license when it is not currently broadcasting.

For additional information and a longer discussion of these issues go to:
http://www.wcsr.com/resources/pdfs/greggskall_california_renewals.pdf

National Emergency Alert System Test Results



As you know, the Federal Emergency Management Agency (FEMA) conducted the first-ever nationwide test of the Emergency Alert System last month. Your CBA recently participated in a review of the test.

By far the major problem experienced by stations was the double-audio in the EAS message. It was caused by feedback at the entry point. Although FEMA had a "fail-safe" system to prevent this, it malfunctioned.

One other widespread problem was station EAS boxes delaying the alert. While FEMA originated the test at the appropriate time, an incorrect setting on their EAS origination unit generated a message with a time stamp 3 minutes ahead. This caused many boxes to hold the message until the time matched the one in the message.

Less frequent issues included TV stations not displaying the requested "This is a Test" message behind the EAS crawl and cable set-top boxes locking on a specific channel. The FCC noted that current State EAS Plans need more detail in the message transmission path to each station. They will look to correct this as plans are rewritten to implement CAP (Common Alerting Protocol) next year.

The regulators advised us they are planning to conduct a nationwide test at least annually and noted a bill has been introduced in Congress to create a national EAS advisory committee.

Does Your Station Advertise Wine on the Internet?

Recently the California Department of Alcoholic Beverage Control (ABC) issued new regulatory guidelines about advertising wine on the Internet. This action was prompted by the growth of third-party wine providers (TPPs) who are involved with the promotion, marketing or facilitation of wine sales beyond the typical advertising model.

The new Industry Advisory clarifies that Internet advertising, like broadcast advertising, is not considered a “sale” so stations do not need a state alcoholic beverage license. However, when broadcasters partner with winegrowers or retailers in creative marketing campaigns, their status as a TPP requires them to observe ABC rules.



Stations should ensure that:

1. A licensed California business controls the selection, pricing and all sales transactions.

A station may collect money from their audience (cash, credit card, etc.) but the full amount collected “must be handled in a manner that gives the licensee control over the ultimate distribution of funds.” This means a station must pass all funds collected from consumers to the licensee and the licensee then pays the station for its services. The licensee must also control the fulfillment of the wine orders and ship the product.



2. No premium, gift or free goods are given directly or indirectly in connection with the sale of the wine

A station cannot offer free corkscrews, wine glasses or any other item in conjunction with the wine sale.

To review the full ABC Third Party Providers Advisory, see....

<http://www.abc.ca.gov/trade/IA%20Third%20Party%20Providers.pdf>

2012 Political Advertising Developments

The Calendar may say 2011, but the 2012 political season is already in full swing. Your CBA will be providing information and updates on candidate and proposition advertising as the election year unfolds. Some early developments include:

Paycheck Protection Initiative Qualifies for the November 2012 Ballot.

The contentious anti-union effort to end automatic contributions from union members promises to be an active fight between well financed groups.

Postal Service Changes Could Alter “Direct Mail” Spending.

The current proposal by the US Postal Service to eliminate Saturday delivery and slow down first class mail could force many campaigns to rethink their last minute advertising decisions. Campaigns traditionally target the Saturday before election day as the best opportunity to get direct mail in the hands of voters. With no Saturday delivery they will have to turn to other forms of reaching voters.

Redistricting Requires Incumbents to Campaign More.

The redrawing of California’s voting districts means many “incumbents” now represent voters that have never heard of them. Building name recognition and reaching these new voters will cause many in traditionally safe districts to increase their campaign advertising.

Washington D.C. 2012



Your CBA will be traveling to Washington D.C. the week of March 12th to meet with staff from the offices of our 53 House of Representatives delegates, and our 2 Senators, on issues of concern to Broadcasters.

If you are interested in joining us in the "Halls of Congress" please contact the CBA.

Start 2012 With ABIP Protection

CBA Inspectors will be conducting the next round of station inspections in February.

The CBA's Alternative Broadcast Inspection Program (ABIP) is designed to educate station personnel and verify compliance with FCC regulations. Successful passage of the inspection earns your station a certificate that protects you from random "drop-in" visits by the FCC for three years.

For more information, or to request an inspection application contact the CBA.

Sign Up Now for February Inspections!



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2012

REMEMBERED

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