



TRANSMITTER

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If you don't serve your industry well, it won't serve you well.



Chairman's Message:

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The December Board meeting at Rolling Hills Zoo west of Salina was an enjoyable experience for those of us who had not been there before. Kansas is fortunate to offer learning experiences like Rolling Hills which is well within most family budgets and built with private funding.

This is my last column and while it has been a busy year it is a good feeling to pass the chairmanship to WIBW-TV General Manager Jim Ogle who will do a great job, I am sure. For members who don't know a lot about Jim Ogle, he lives on the edge of new technology. So given the ever increasing dependence upon which most of us rely on the internet for operations, communications, business functions and social media, it is appropriate this year especially that we have Jim as our new Chairman.

Also, I would like to again thank Gordon Johnson of Wellington for his many years of service to Kansas Assn. of Broadcasters. He has served our association well. I would also like to take this opportunity to welcome Christa Roy, Larry Riggins, Mark Sullivan and Darrin McDonald. I think this year we'll have a great blend of representation on the board representing both radio and television and all geographical areas of Kansas.

Another new service of KAB will be the first training seminar for engineers which will be held in Overland Park, KS March 24-26, 2014 in cooperation with Missouri broadcasters. The sessions will be taught by Larry Wilkins of Birmingham, AL who does this type of refresher training on a regular basis. Of course most important to me was keeping Kansas Association of Broadcasters financially secure and growing which makes possible the offering of new services to members.

It has been my profound pleasure to serve as chairman and I look forward to the challenges of 2014, knowing we have such a fine state organization to represent radio and television interests. Doris and I wish all members of the Kansas Association of Broadcasters a very Merry Christmas and Happy New Year.

2014 Issues at Statehouse and Washington

At this time, we don't have any proposed bills in the Kansas Legislature. We will closely monitor all action and keep you posted on any tax legislation impacting small businesses. With regards to Congressional issues, here is a brief shortlist:

Spectrum Auction – It was announced this month by new FCC Chairman Tom Wheeler that the auction will be moved back a year to 2014. Perhaps in response to the rollout of the Affordable Care Act, Wheeler said that “managing a complex undertaking such as this also requires an ongoing commitment to continuously and honestly assess its readiness and its project plan.” All broadcasters have ever asked is to make sure to get it right.

Advertising Deductibility – As discussions continue behind the scenes to reform the tax code, one idea drafted is to reduce businesses ad deductions to 50% with the remaining 50% over the next 9 years. Any legislation that would disincentivize advertising would be detrimental to the recovery of the U.S. economy and would hurt broadcasters' ability to serve their local communities. Congressional leadership is not going to allow hearings on this during an election year but we must remain diligent in our conversations with our members that advertising needs to be treated like other ordinary and necessary business expenses.

Performance Tax – With no cosponsor, a North Carolina Representative introduced the “Free Market Royalty Act” (H.R. 3219), legislation that imposes a new performance fee, or tax, on local radio stations simply for airing music for free to listeners. This bill creates the opposite of a free market by mandating that radio stations negotiate through SoundExchange, making a monopoly the gatekeeper to radio music airplay for every artist. Meanwhile H. Con. Res. 16, the “Local Radio Freedom Act,” a resolution that opposes the tax, and a companion bill, S. Con. Res. 6, is supported by 184 bipartisan members of the House and 12 senators – including all of the Kansas delegation.

2013 FCC Filings

This past year the KAB along with other state broadcasters associations, filed various comments with the FCC on four major issues.

Spectrum Auction – In January, we asked for full transparency in the process, that bids be kept confidential, and to make sure that any “repacking” of channels keeps the same over the air coverage for the stations. The rulemaking is pending

Egregious Cases Policy – In July, we urged the Commission to issue orders that they will not take action against stations that air a fleeting expletive or isolated nudity or mere suggestion of sexual activity, or any type of sound and/or image that is alleged to be indecent which aired in a newscast, documentary, interview, sports or entertainment programming. We also asked that any indecency complaint filed, be either dismissed or request a response from a station within 30 days. They would no longer take years to come to a decision. Proceeding is pending.

Posting political files online – In November, we urged the Commission to lift its current broadcast-only, online political file rule at least until the FCC requires cable and satellite operates to post the same information online. For the same reasons, the Associations also urged the Commission to defer its tentative deadline of July 1, 2014, by which the FCC would apply its online political file rule to all television stations, irrespective of affiliation and market size. Rulemaking pending.

EAS national test follow up – Also in November Reply Comments, the Associations identified the many ways in which State Broadcasters Associations play a critical role, among other EAS-related

matters (i) working with state and local emergency management authorities in drafting, updating and fine-tuning State EAS plans; (ii) educating/training state and local emergency management authorities; (iii) administering the required regular monthly EAS tests; (iv) checking EAS equipment under the State Associations' ABIP Programs. In addition, we stressed need for the Commission to amend its regulations to prohibit cable operators from blocking members of the public, who are their subscribers, from having immediate, uninterrupted and full access to the emergency information provided by local television stations that are carried on their systems. Proceeding pending.

Quarterly Reports Due

The next Quarterly Issues/Programs List ("Quarterly List") must be placed in stations' public inspection files by January 10, 2014, reflecting information for the months of October, November, and December 2013. For TV stations, the next Children's Television Programming Report must be filed with the FCC and placed in stations' public inspection files by January 10, 2014, reflecting programming aired during the months of October, November, and December 2013.

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KSJB TV Earns Alfred I. duPont Award

Joining three other news organizations, KSJB TV in Kansas City earned the prestigious honor in the breaking news category for their coverage of the explosion and fire on the Country Club Plaza. After a landmark Kansas City restaurant exploded into flames, their reporters were on the scene in the moments and weeks that followed asking tough questions about the events leading up to the deadly blast.

The team broke major developments of the ongoing story and culminated with an hour-long primetime special. The award credits the following employees: Melissa Greenstein, executive producer, special projects; Keith King, consumer reporter; Ryan Kath, Melissa Yeager, investigative reporters; Michael Butler, Andy Pollard, special projects photographers. The awards will be presented later in January at Columbia University.

The Negotiator's Negotiator



Let's watch a video today. I have learned a lot from watching YouTube videos, like how to fix my vacuum cleaner, or how to repair a broken garbage disposal and recently, how to play the Stone's Brown Sugar in the correct open G tuning. But what can YouTube show us about negotiating?

Most of us have seen YouTube clips from sales-oriented movies, like *Boiler Room* and *Glengarry Glen Ross*. But a while back I was pleasantly surprised to find a great link to an ABC reality television show I'd never seen called "Shark Tank". In each episode of this show, an entrepreneur tries to sell multi-millionaire investors on investing in his or her business. The young entrepreneur in the clip (Jonathan) is the epitome of a negotiator. This is a great video for broadcast salespeople to watch, because media salespeople are often so uncomfortable with negotiating a real deal. As soon as a buyer puts on any pressure the salesperson craters. Instead of negotiating with the client, we wind up negotiating with the sales manager.

Shamefully, this disturbing trend is now raising its ugly head with direct clients and it's no wonder. Anxious to add billing, salespeople in every market size are actually *volunteering* added value, without the client even asking. Do you enjoy working for free? Wouldn't you rather chase squirrels than spend one more Saturday hanging around at remotes with the scourge of humanity, those cheating, lying PRIZE PIGS?

Please click on the video link and then come back to the article when you've finished watching.

<http://sharktankclips.com/season-1-episode-6-element-bars/>

This video is wonderful on so many levels. Under tremendous pressure, the entrepreneur manages to stay focused. When an investor asks for more, Jonathan asks for more. He consistently draws conversation away from low offers and back to value.

Here's the takeaway. When negotiating, try to keep the discussion focused on your VALUE and BENEFIT to your client, not your PRICE. There is no question that value can be perceived completely differently between two individuals, depending on the education of both sides.

It is always in your best interest to make sure that you understand as much as possible about how your client's business works. Of course, it's equally important that you educate your client on the benefits of marketing and advertising, and how valuable your audience is to your client's bottom line. Steer your client away from price and back toward value. For example, what's the value of one new customer to your client?

When asked to "throw a number out there that you'd entertain," he says, "I can't negotiate with myself. I give you the power to pull the lever," and with those words, the tables are turned so that now the investors begin throwing out numbers, *even the investor* who said early on that, "he who throws out the first number loses."

In the video, Jonathan states upfront that he's open to, "hearing any offers that are out there". When things start to stall, he throws them a bone. "If a greater equity was out there...would that interest you?" With those words, the negotiation perks up again. As soon as he sees there is at least some interest in continuing, he goes back to selling value. But, he stands firm on why he will not just give away his company.

Even after being insulted by one of the potential investors, who says, “You’re a great salesman, but you’re not much of a businessman. I’m out,” Jonathan keeps his cool (by the end of the clip, we see just how good a businessman Jonathan turns out to be).

Best observation from one of the investors, “He’s not selling the company, he’s selling Jonathan,” he says, smiling. Selling yourself...what in the heck is wrong with that?

Here’s another takeaway from Jonathan. Propose bigger schedules from the beginning. You can always come down if you have to, but it’s harder to go up. By starting with what the investors were saying was a high price, Jonathan raises the bar on the value of his product.

Other good advice regarding negotiation, that it’s a two-way street. “It sounds nit-picky,” says Jonathan. “But you’ve got to get to my negotiating range.” What’s he doing here? He’s re-defining the boundaries of the negotiation. “Oh, he’s good,” an investor says, smiling. Yes, he is. And, people respect a good negotiator.

Another take away from the video: Try to look at every possible side of a deal. Every angle and detail, before and during the negotiation. Your ability to stay objective and flexible will be crucial to the outcome. If you are emotionally attached to any single issue, your ability to negotiate objectively is compromised. Don’t fight to win a battle and then lose the war. That’s being pig-headed. Sacrifice smaller points to win bigger ones.

Negotiation is merely a learned skill that, if practiced regularly, becomes a natural instinct. Negotiation is simply the art of modifying the behavior of another person, toward a mutually beneficial conclusion. So, why does it have to be so awkward? Why do we feel we have to give up so soon? A successful negotiation is not a game with a winner and a loser. In order to have a successful negotiation, both sides must feel as though they have won. You are not there to destroy an opponent. Nor are you there to be destroyed. You are there to strike a deal where everybody believes that they have won something. Remember that you are working toward a common goal.

And, one final take away from the video. Turn your weaknesses into strengths. Jonathan never for one minute lacked confidence, despite his youthful appearance. In other words, if you look young, don’t let your youth be mistaken for lack of experience or ability. The same goes with your race, your gender, your handicap or any other issue that you think may be perceived as a weakness. Subtly point out your strengths and skills early in the discussion. If you’re young for example, older clients might appreciate your youthful perspective when it comes to marketing his product or service to a younger audience.

President John Kennedy once said, “Let us never negotiate out of fear. And, let us never fear to negotiate.”

Originally printed in *Radio Ink*. (Paul Weyland is a broadcast sales trainer, author and speaker. You can reach him at paul@paulweyland.com or at www.paulweyland.com or by phone at (512) 236 1222. Read Paul’s book *Successful Local Broadcast Sales*, available on line or at bookstores)

If you have anything you would like to place in the newsletter send it to kent@kab.net