



# TRANSMITTER

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

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## Chairman's Message:

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Greetings! As we gather in Wichita in two weeks for our annual convention, I don't want us to forget the importance of the recognition we give to all of the people who will receive awards on that Monday evening. We had 722 entries this year from our employees who work in news, production, public affairs and promotion. From the smallest station to the largest group in Kansas, broadcasters produce an incredible amount of content for communities to listen and watch. A small portion of that work will be honored with plaques and recipients applauded by their peers for their outstanding efforts.

But to the best of my knowledge, no one works their tails off in this business simply to be recognized. They do it because they love their work and know that there are viewers and listeners who like - and in some cases need - the information provided. However, like all humans good people do need to be recognized and honored and I hope when they return to your stations following the convention, those awardees are given the appropriate acknowledgement they deserve. As you well know, employees are the most important asset other than a license. See you in Wichita!!

## KAB Convention - Two Weeks Away



Although the "Early Bird" pricing deadline has passed, you still have another week or so to get registered. We're meeting October 14-16 at the DoubleTree by Hilton Airport in Wichita and it's your chance to listen, learn and network with your fellow broadcasters. In addition to honoring individuals and stations for outstanding work, we have the following sessions:

**SALES** – Mark Levy on prospecting and selling benefits vs features.

**MANAGERS** – “Holding Your Team Accountable” and David Oxenford’s update on the regulatory landscape in Washington.

**NEWS** – Kevin Benz with “A Guide to Covering the Hate Movement” and (Re)Building Trust”

**ENGINEERS** – “The Automotive Experience”, “Repack Update” and a closed door meeting with the FCC Regional Senior Agent.

**PROGRAM DIRECTORS** – Doug Erickson on “The Power in Emotional Connection.”

For more information go to <http://kab.net/Events/ConventionInformation/>

We are also excited to have the following sponsors:

Kansas Electric Cooperatives  
Heartland Video Systems  
Nielsen Local TV and Audio  
Kansas Farm Bureau  
P1 Learning

Kansas City Royals  
Marketron Broadcast Solutions  
K-State Sports Network  
Jayhawk IMG Network  
Broadcast Electronics

RCS  
The Storm Report  
GatesAir  
Southwest Audio/Visual  
Radiowave

## National EAS Test Moved to October



The Federal Emergency Management Agency (FEMA), in coordination with the FCC, announced that the National Emergency Alert System (EAS) and Wireless Emergency Alerts (WEA) tests scheduled in September, were postponed due to “ongoing response efforts to Hurricane Florence.”

Instead, the tests will be conducted on the previously announced backup date of October 3. The Wireless Emergency Alerts test will commence at 1:18 p.m. CDT and the EAS test will commence at 1:20 p.m. CDT on that date. FEMA has indicated that the purpose of the tests is to “assess the operational readiness of the infrastructure for distribution of a national message and determine whether improvements are needed.”

All EAS Participants were required to file their Form 1 with the FCC by August 27, 2018. They were then to file their Form 2 (day of test data) on September 20, 2018, with the final test report to be filed on Form 3 by November 5, 2018. The Form 2 (and likely the Form 3) deadline will now shift to align with the new October 3 test date. As of the publication of this post, the FCC had not yet announced new filing deadlines, but the Form 2 will likely be due on October 3, 2018, and since the FCC’s Rules require that EAS Participants “are required to file detailed post-test data 45 days following a nationwide EAS test,” the Form 3 deadline will most likely move to November 19, 2018. Those are just predictions, however, and broadcasters and other EAS Participants should watch for a formal announcement from the FCC with the new filing deadlines.

## E-Cigs – Beware of Targeting Children

(From KAB Hotline Attorney David Oxenford)

E-cig advertising has been one of those areas where broadcasters and other media companies have been looking warily at the potential for regulatory intervention. So far, the FDA has only required general disclosures that “*e-cigs contain nicotine and that nicotine is an addictive chemical*” – an obligation that took effect last month, on August 10. Coupled with the FDA’s recent actions against

the manufacturers, the FDA issued a series of warning letters and fines to retailers of e-cigs who had not been restricting the sales of these products to minors.

Broadcast stations who have substantial numbers of minors in their audience (including any radio or TV broadcasters airing programming with audience demographics indicating that a substantial number of minors under the age of 18 are in that audience), prohibit ads for beer or hard liquor in such programs, for fear of FTC action and pursuant to voluntary alcohol industry guidelines. That same policy would seem wise in airing e-cig and vaping ads, given this aggressive regulatory activity by the FDA. In this environment, broadcasters in particular should consider all such advertising, and if they accept it, review its contents carefully and make sure that it meets or exceeds all guidelines and keep it out of programs with audiences with a substantial number of minors.

This obviously is an area of much concern for the government at this time, and broadcasters, as federally-regulated entities, need to approach any area of government concern with caution. The government, of course, already prohibits advertising for cigarettes and chewing tobacco, and it is possible that e-cig advertising could be headed in the same direction.

## Music Modernization Act Passes



Both the senate and house have passed the newly named Orrin G. Hatch Music Modernization Act (MMA) and awaits the President's signature. As you will recall, the MMA includes significant reforms relating to songwriter compensation by on-demand streaming services, payments to pre-1972 recording artists, and royalty shares for music producers. But most importantly includes no new performance royalty on local broadcasters.

NAB fully supports the MMA after the continued inclusion of a provision that establishes an enhanced oversight role for Congress in any DOJ review of the ASCAP and BMI consent decrees. Given recent activity around this issue at DOJ, NAB advocated heavily for this oversight provision and negotiated with key Congressional offices and other stakeholders for its inclusion during the Senate Judiciary Committee's consideration of the legislation.

While nothing in this legislation will ultimately prevent DOJ from undertaking any action relating to these consent decrees, this legislation ensures a clear oversight role for Congress in that review and provides a substantial hook in the event that we need to generate Congressional pressure as DOJ's process moves forward.

Additionally, this legislation preserves an agreement reached between NAB, ASCAP and BMI earlier this year that limits the application of unfavorable changes to the ASCAP and BMI rate court evidentiary rules to pureplay streaming services, but not terrestrial broadcasts or simulcasts.



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## Radio's Ugly Word – Collections: Learn to Love It



What amazes me is how important the collections process is to people in our industry, and yet we spend very little time discussing better strategies for handling delinquent accounts. Here is a good rule to live by: “It’s not a sale until it’s collected.” Boom! There you go. Write it on the wall where you can see it every day. Because whether you’re paid on billing or collection, ultimately you’re paid on collection — because if you’re paid on billing and then you don’t collect, the station will eventually take back the money they paid you on your billing. Collections is a fundamental part of the selling process, and the better you are at it, the more you’ll personally benefit by knowing how to do it properly.

For many of us in media sales, collections are typically the part of the job we like the least. I mean, after all, who likes chasing people for money? I’ll tell you who: me. Because if I go to all of that trouble to prospect, present, and close an account, and then service that account, I feel I have the right to be paid for the work I have done. Luckily, I’ve always worked at stations that took collections very seriously. At one station, not only did we discuss outstanding bills in our one-on-ones, we also had those conversations in our weekly meetings, with the entire sales and management staff present. (I always thought it was a psychological trick, humiliating the salesperson with the collections problem in front of everyone else in the room.)

We even assigned numbers to some of the most frequent client excuses. “The client says he never got our invoice,” might be Excuse No. 44. “The client says his wife has to sign the check and she’s out of town with her sick mother.” “Ah, the ‘sick mother’ — Excuse No. 27.” Sometimes dealing with collections can make you sad and empathetic for the customer. And sometimes the customer is just a sleazebag and you should have seen this coming to begin with. Kind of like that guy who asked me if he could borrow \$1,000. And I told him, “But Mike, you’re a notorious gambler. How do I know that if I loan you the money, you won’t just go waste it all on the blackjack table?” and he said, “No, Paul, that won’t happen. See, I’ve got gambling money.”

Like any other aspect of sales, becoming a good collector involves its own set of skills and knowledge. Here are some tips to help you get the client to pay your bill so you can get paid what’s rightfully yours.

Ask for cash in advance or a credit card to begin with. We’re in the radio and TV business, not the banking business. Why must we finance the client’s advertising schedule? Would it hurt to ask for cash in advance? I’m already used to paying that way as a consumer. I pay for gasoline in advance of getting it. Movies, same way. Food to go? Cash in advance. Home security? My new service now asks for a year’s payments in advance. And in exchange, I get a discount. When a home is sold, the new owner doesn’t get the keys and the garage door opener until the money has been transferred to the previous owner.

When I’m selling broadcast advertising to a new local direct client, I’ll use the assumptive close and say, “Before we start, when would be a good time to pick up a check?” Or, if your company takes credit cards, “Why not just put this on the card? You can use our automatic payment system and the money will be drafted out of your account. And that way, you’ll get the points on your card.”

Don’t be naive. Understand what you’re up against. If the client owes you money, how many other vendors is he also having trouble with? Fifteen? Maybe even more? The expression “The squeaky wheel gets the grease” has never fit better than it does in a collections problem. Time to start squeaking. Loud. A lot.

**Make it personal. No more “nice guy.” When somebody is delinquent, it’s time to get tough. Remind the client that you have bills to pay, children to feed and clothe, etc., etc., and that you were depending on this money. Within 24 hours... when to go into collection procedures. The moment you suspect you have the problem. The minute you get that tingly feeling something’s not right, it’s time to get to work. Start collections proceedings within 24 hours of discovering you might have a problem. The longer you wait, the colder the trail becomes.**

**Be clear up front on when you expect to be paid. When the client says, “Yes, we’ll advertise with you,” then I say, “Great. Here’s how we work.” Then I talk about commercial production and deadlines and I explain that payment is due right now or within 30 days. It’s a good idea to reach an agreement early on payment. I include payment due dates in my signed client agreements so that there can be no confusion.**

**Categories that should always be cash in advance. As much as I hate generalizing, these categories are generally notoriously bad about paying media companies. Promotional — concerts and events companies, Manufactured housing, Used car lots. What’s the client’s cell phone number? Getting a new client’s cell number is something you do without having to think about it, for a variety of reasons. But in collections, it is imperative. Typically, clients that owe you money will not call back when you leave phone messages. They won’t answer your texts or e-mails. But when you have their cell phone number, you can call them from any other phone that doesn’t identify you. They usually have to answer the call because you could be a new customer, a friend, or a family member.**

**Keep good records. Write down everything that was said or done involving this account and their collection issue. Don’t leave anything up to memory. “At 2:15 p.m. last Wednesday you said the check would be ready for me to pick up today by noon. That’s what you said, and that’s why I’m here right now.”**

**Remain vigilant. Every time you think you’re being too hard on the client, another vendor, more persistent than you, is getting paid the very money that could have gone to you instead. Get to the mental position where you consider yourself an expert at getting paid what you are owed. Instead of hating that part of the job, start looking at it as an important and necessary part of doing business. Always be prepared for bizarre excuses. Here’s one. One of our salespeople who had a collections problem with an account that was more than 120 days past due suddenly heard that same client advertising on a competitive station. When the salesperson confronted the owner of the business, the guy said, “But Ron, if I had the money, I wouldn’t have to advertise.” Hmm, let that one sink in for a minute. By the way, that’s now Excuse No. 268.**

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