

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Lancaster Educational Broadcasting Foundation)	EB-06-IH-5642
)	Facility ID No. 36478
)	NAL/Account No. 200932080028
Licensee of Noncommercial Educational Station WFCO(FM), Lancaster, Ohio)	FRN 0003018645

NOTICE OF APPARENT LIABILITY FOR FORFEITURE

Adopted: February 10, 2009

Released: February 10, 2009

By the Chief, Investigations and Hearings Division, Enforcement Bureau:

I. INTRODUCTION

1. In this *Notice of Apparent Liability for Forfeiture* (“NAL”), we find that Lancaster Educational Broadcasting Foundation (“Lancaster”), licensee of noncommercial educational Station WFCO(FM), Lancaster, Ohio, has apparently violated Section 399B of the Communications Act of 1934, as amended (the “Act”),¹ and Section 73.503 of the Commission's rules,² by willfully and repeatedly broadcasting prohibited advertisements. Based upon our review of the facts and circumstances of this case, we conclude that Lancaster is apparently liable for a monetary forfeiture in the amount of seven thousand five hundred dollars (\$7,500).

II. BACKGROUND

2. This case arises from a complaint made to the Commission alleging that noncommercial educational Station WFCO(FM) broadcast prohibited underwriting announcements during its broadcast of Capital University college football games during the 2006 season.³ Thereafter, the Bureau inquired of the licensee concerning the allegations contained in the complaint.⁴ Lancaster responded to the *LOI* on September 14, 2007.⁵

¹ See 47 U.S.C. § 399b(a).

² See 47 C.F.R. § 73.503.

³ See Letters from Complainant to Benigno E. Bartolome, Deputy Chief, Investigations and Hearings Division, Enforcement Bureau, dated September 15, 2006, and March 1, 2007 (collectively the “Complaint”).

⁴ See Letter from Benigno E. Bartolome, Deputy Chief, Investigations and Hearings Division, Enforcement Bureau, to Lancaster, dated August 20, 2007 (“LOP”).

⁵ See Letter from Steve Rauch, President, Lancaster Educational Broadcasting Foundation, to Benigno E. Bartolome, Deputy Chief, Investigations and Hearings Division, Enforcement Bureau, dated September 14, 2007 (“Response”).

III. DISCUSSION

3. Under Section 503(b)(1) of the Act, any person who is determined by the Commission to have willfully or repeatedly failed to comply with any provision of the Act or any rule, regulation, or order issued by the Commission shall be liable to the United States for a forfeiture penalty.⁶ Section 312(f)(1) of the Act defines willful as “the conscious and deliberate commission or omission of [any] act, irrespective of any intent to violate” the law.⁷ The legislative history to Section 312(f)(1) of the Act clarifies that this definition of willful applies to both Sections 312 and 503(b) of the Act,⁸ and the Commission has so interpreted the term in the Section 503(b) context.⁹ The Commission may also assess a forfeiture for violations that are merely repeated, and not willful.¹⁰ “Repeated” means that the act was committed or omitted more than once, or lasts more than one day.¹¹ In order to impose such a penalty, the Commission must issue a notice of apparent liability, the notice must be received, and the person against whom the notice has been issued must have an opportunity to show, in writing, why no such penalty should be imposed.¹² The Commission will then issue a forfeiture if it finds, by a preponderance of the evidence, that the person has willfully or repeatedly violated the Act or a Commission rule.¹³ As described in greater detail below, we conclude under this procedure that Lancaster is apparently liable for a forfeiture in the amount of seven thousand five hundred dollars (\$7,500) for its apparent, willful and repeated violations of Section 399B of the Act and the Commission’s underwriting rules.

A. Lancaster Has Willfully and Repeatedly Broadcast Advertisements in Apparent Violation of Section 399B of the Act and Section 73.503 of the Commission’s Rules.

4. Advertisements are defined by the Act as program material broadcast “in exchange for any remuneration” and intended to “promote any service, facility, or product” of for-profit entities.¹⁴ The pertinent statute specifically provides that noncommercial educational stations may not broadcast advertisements.¹⁵ Although contributors of funds to such stations may receive on-air acknowledgements, the Commission has held that such acknowledgements may be made for identification purposes only, and should not promote the contributors’ products, services, or

⁶ See 47 U.S.C. § 503(b)(1)(B); 47 C.F.R. § 1.80(a)(1).

⁷ 47 U.S.C. § 312(f)(1).

⁸ See H.R. Rep. No. 97-765, 97th Cong. 2d Sess. 51 (1982).

⁹ See, e.g., *Southern California Broadcasting Co.*, Memorandum Opinion and Order, 6 FCC Rcd 4387, 4388 (1991).

¹⁰ See, e.g., *Callais Cablevision, Inc., Grand Isle, Louisiana*, Notice of Apparent Liability for Monetary Forfeiture, 16 FCC Rcd 1359, 1362, ¶ 10 (2001) (“*Callais Cablevision*”) (issuing a Notice of Apparent Liability for, *inter alia*, a cable television operator’s repeated signal leakage).

¹¹ See *Southern California Broadcasting Co.*, 6 FCC Rcd at 4388, ¶ 5; *Callais Cablevision, Inc.*, 16 FCC Rcd at 1362, ¶ 9.

¹² See 47 U.S.C. § 503(b); 47 C.F.R. § 1.80(f).

¹³ See, e.g., *SBC Communications, Inc.*, Forfeiture Order, 17 FCC Rcd 7589, 7591 ¶ 4 (2002) (forfeiture paid).

¹⁴ See 47 U.S.C. § 399b(a).

¹⁵ See 47 U.S.C. § 399b(b)(2).

businesses.¹⁶ Specifically, such announcements may not contain comparative or qualitative descriptions, price information, calls to action, or inducements to buy, sell, rent or lease.¹⁷ At the same time, however, the Commission has acknowledged that it is at times difficult to distinguish between language that promotes versus that which merely identifies the underwriter. Consequently, it expects that licensees exercise reasonable, “good faith” judgment in this area, and affords some latitude to the judgments of licensees who do so.¹⁸

5. At issue here are twenty underwriting announcements made by Lancaster on behalf of Wesbanco, and others, that Lancaster admits were broadcast by its station during the period September 2, 2006, until December 2, 2006.¹⁹ Lancaster acknowledges that it received monetary consideration in exchange for airing these announcements.²⁰ Lancaster also represents that the underwriters are for-profit entities, and that the messages were repeated many times during the stated period.²¹

6. After careful review of the record in this case, we find that the announcements set forth in the attached transcript were made and aired on behalf of for-profit entities and apparently exceed the bounds of what is permissible under Section 399B of the Act and the Commission’s pertinent rules and policies, in light of the “good faith” discretion afforded licensees under *Xavier*.²² We conclude that they appear to constitute prohibited advertisements because they invite, urge or seek to induce business patronage, distinguish favorably the respective underwriters from their competitors, or otherwise describe their underwriters through qualitative references.²³ Specifically, several of the announcements impermissibly refer to their respective underwriters’ services or products in comparative terms concerning the variety of product or service choices available,²⁴ memorable quality,²⁵ low prices,²⁶ better results,²⁷ size and

¹⁶ See Public Notice, *In the Matter of the Commission Policy Concerning the Noncommercial Nature of Educational Broadcasting Stations* (1986), *republished*, 7 FCC Rcd 827 (1992) (“*Public Notice*”).

¹⁷ See *id.*

¹⁸ See *Xavier University*, Letter of Admonition, issued November 14, 1989 (Mass Med. Bur.), *recons. granted*, Memorandum Opinion and Order, 5 FCC Rcd 4920 (1990) (“*Xavier*”).

¹⁹ See *Response* at 1.

²⁰ See *id.* at 1-2. Station programmer Gameday Management supplied on-air talent, underwriting announcements, and a “rights fee” to Station WFCO(FM) in exchange for Lancaster’s agreement to air the Capital University 2007 season football games. See *id.*

²¹ See *id.* at 1-2.

²² Because promotional messages made on behalf of not-for-profit entities are permissible, we do not include those made on behalf of those underwriters including Revive Our Hearts, College Football Hall of Fame, Findachurch.net, Children’s Hospital Sports Medicine, Capital University, Midstate Educators Credit Union, and Fairfield County District Library in our findings. See *Commission Policy Concerning the Noncommercial Nature of Educational Broadcast Stations*, Report and Order, 90 FCC 2d 895, 900 n.16 (1982), *recons.*, 97 FCC 2d 255 (1984) (“*1982 Policy Statement*”) (noting that institutions which qualify under IRS guidelines as not-for-profit organizations may be promoted).

²³ See *Public Notice*, *supra*, note 16.

²⁴ See “Stay at the Airport Hotels” announcement (“best hotel choices are right here”).

²⁵ See “Cintas” announcement (“Cintas employees put integrity above all else;” “I wasn’t dealing with an ordinary company”); “Corna/Kokosing Construction Company” announcement (“demanding integrity and quality in everything we do”); “Walker Shoe Center” announcement (“best remembered for our skill and patience in fitting difficult feet. Our shoe fitting expertise is yours”); “Personal Touch Party Rentals &

luxury,²⁸ or the relative quality of dining or entertainment.²⁹ Several announcements impermissibly refer to other convenient features that their underwriters' products or services possess,³⁰ including the availability of credit, loans, discounts, or various payment options.³¹ Finally, still other announcements improperly seek to encourage business patronage.³² None of the foregoing broadcast references are consistent with a noncommercial broadcaster's "good faith" discretion under *Xavier*, because each, in the context presented, refers to specific qualities or attributes of their respective underwriters that are not necessarily possessed by competitors. Thus, announcements that contain such references impermissibly seek to distinguish favorably their underwriters from others.

7. Lancaster claims that it has "contacted attorneys to get advice as to what can be or cannot be included in a sponsorship spot."³³ Lancaster does not indicate, however, when it sought such advice, or provide evidence supporting any claim that it disclosed its violations to the Commission or implemented corrective measures prior to the staff's investigation of this case. Consequently, no claim for mitigation under these factors is available in this case.³⁴

Events" announcement ("your event will be one to remember when you add that personal touch"); and "Time Warner Cable" announcement ("home and your TV never looked or sounded better").

²⁶ See "Kroger" announcement ("where [there are] sale prices and everyday low prices on the items you buy most" and offers "the better way to shop"); and "Stay at the Airport Hotels" announcement ("for reservations ask for special Capital rate").

²⁷ See "Gameday Management" announcement ("partner with Gameday Management and achieve better results").

²⁸ See "Byers Imports" announcement ("new VW Jetta which offers more of everything," including "more room, power and luxury").

²⁹ See "Old Bag of Nails" announcement ("a perfect place to eat after the big game," offering meal selections including "juicy steaks"); "McDonald's" announcement ("refuel with a new way to snack," offering meals selections including "tender juicy, warm, all white premium chicken"); "Papa Joe's Pizza" announcement ("a legendary team deserves a legendary pizza"); and "Connell's Maple Leaf Flower and Gifts" announcement (offering "perfect gifts for you and your occasion").

³⁰ See "Time Warner Cable" announcement ("with Time Warner Cable save both time and money"); "Graeter's Ice Cream" announcement ("let us pack your favorite flavors in our handy, re-usable inflated coolers, guaranteed to stay frozen for 24 hours"); "State Farm" announcement ("helps make your life a little easier"); and "Stay at the Airport Hotels" announcement ("staying at these airport hotels offers convenience like no other").

³¹ See "Wesbanco" announcement ("competitively low interest rate," "ultimate flexibility," and tax advantages not available on other types of credit"); and "Fairfield Federal Savings and Loan Association" announcement ("looking for a really free checking account . . . one with no monthly fee, no charge for ATM transactions, free use of a debit card. . .?").

³² See "Signs by Tomorrow" announcement ("whatever your signage needs, be sure to go with the winner"); "Walker Shoe Center" announcement ("visit our store"); "Fairfield Federal Savings and Loan Association" announcement ("stop in at one of our offices"); and "State Farm" announcement ("visit State Farm Agent Teresa Bush").

³³ See *Response* at 2.

³⁴ Cf. *American Family Association*, Notice of Apparent Liability, 17 FCC Rcd 18135, 18137 ¶ 10 (Enf. Bur. 2002), *recons. denied in part*, 18 FCC Rcd 2413 (2003) (reducing a proposed forfeiture, in part, because the broadcaster had voluntarily disclosed violation to Commission staff prior to any Commission investigation); *Max Media of Montana, L.L.C.*, Notice of Apparent Liability, 18 FCC Rcd 21375, 21378 ¶ 11 (Enf. Bur. 2003) (finding reduction appropriate where corrective action initiated by broadcaster prior to

B. Proposed Action

8. Under Section 503(b)(1) of the Act, any person who is determined by the Commission to have willfully or repeatedly failed to comply with any provision of the Act or any rule, regulation, or order issued by the Commission shall be liable to the United States for a forfeiture penalty.³⁵ The Commission's *Forfeiture Policy Statement* establishes a base forfeiture amount of \$2,000 for violation of the enhanced underwriting requirements.³⁶ The *Forfeiture Policy Statement* also provides that the Commission shall adjust a forfeiture based upon consideration of the factors enumerated in Section 503(b)(2)(E), such as "the nature, circumstances, extent and gravity of the violation, and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require."³⁷

9. In this case, it appears that from September 2006 through December 2006, Lancaster willfully and repeatedly broadcast twenty separate advertisements in violation of Section 399B of the Act and Section 73.503(d) of the Commission's rules. We believe that a substantial forfeiture is necessary because of the large number of announcements in question, coupled with the significant number of repetitions, over an extended period of time. Based on all the circumstances, the period of time over which the prohibited announcements were aired, the number of announcements at issue, and after examining forfeiture actions in other recent underwriting cases, we believe that a forfeiture of seven thousand five hundred dollars (\$7,500) is appropriate.³⁸ Accordingly, applying the *Forfeiture Policy Statement* and the statutory factors to this case, we conclude that Lancaster is apparently liable for a forfeiture in the amount of seven thousand five hundred dollars (\$7,500) for apparently violating the Commission's underwriting rules.

IV. ORDERING CLAUSES

10. **ACCORDINGLY**, pursuant to Section 503(b) of the Communications Act of 1934, as amended,³⁹ and Sections 0.111, 0.311 and 1.80 of the Commission's rules,⁴⁰ Lancaster Educational Broadcasting Foundation, licensee of noncommercial educational Station WFCO(FM), Lancaster, Ohio, is hereby **NOTIFIED OF ITS APPARENT LIABILITY FOR A**

Commission involvement in case).

³⁵ See 47 U.S.C. § 503(b)(1)(B); 47 C.F.R. § 1.80(a)(1).

³⁶ *The Commission's Forfeiture Policy Statement and Amendment of Section 1.80 of the Rules to Incorporate the Forfeiture Guidelines*, Policy Statement, 12 FCC Rcd 17087, 17113 (1997), *recons. denied* 15 FCC Rcd 303 (1999) ("*Forfeiture Policy Statement*"); 47 C.F.R. § 1.80(b).

³⁷ 47 U.S.C. § 503(b)(2)(E). See also *Forfeiture Policy Statement*, 12 FCC Rcd at 17100-101 ¶ 27.

³⁸ Cf. *Family Life Educational Foundation (KOUZ(FM))*, Notice of Apparent Liability, 17 FCC Rcd 16317 (Enf. Bur., Investigations & Hearings Div. 2002) (imposing a \$2,000 forfeiture for broadcast of a single impermissible underwriting announcement more than one hundred times over a four-month period) (forfeiture paid); See *Christian Voice of Central Ohio, Inc. (WCVZ(FM))*, Notice of Apparent Liability for Forfeiture, 19 FCC Rcd 23663 (Enf. Bur. 2004) (\$20,000 forfeiture initially proposed for underwriting violations), *forfeiture reduced*, 23 FCC Rcd 7594 (Enf. Bur. 2008) (forfeiture reduced to \$9,000 for good compliance record and after finding acceptable a previously sanctioned announcement), *recons. den.*, 23 FCC Rcd 15943 (2008) (collectively "*Christian Voice*").

³⁹ See 47 U.S.C. § 503(b).

⁴⁰ See 47 C.F.R. §§ 0.111, 0.311 and 1.80.

FORFEITURE in the amount of seven thousand five hundred dollars (\$7,500) for willfully and repeatedly broadcasting advertisements in violation of Section 399B of the Act,⁴¹ and Section 73.503 of the Commission's rules, during the period September 2006 through December 2006.⁴²

11. **IT IS FURTHER ORDERED**, pursuant to Section 1.80 of the Commission's rules, that within 30 days of the release of this Notice, Lancaster **SHALL PAY** the full amount of the proposed forfeiture or **SHALL FILE** a written statement seeking reduction or cancellation of the proposed forfeiture.

12. Payment of the forfeiture must be made by check or similar instrument, payable to the order of the Federal Communications Commission. The payment must include the NAL/Account Number and FRN Number referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000. Payment by overnight mail may be sent to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101. Payment[s] by wire transfer may be made to ABA Number 021030004, receiving bank TREAS/NYC, and account number 27000001. For payment by credit card, an FCC Form 159 (Remittance Advice) must be submitted. When completing the FCC Form 159, enter the NAL/Account number in block number 23A (call sign/other ID), and enter the letters "FORF" in block number 24A (payment type code). Requests for full payment under an installment plan should be sent to: Chief Financial Officer -- Financial Operations, 445 12th Street, S.W., Room 1-A625, Washington, D.C. 20554. Please contact the Financial Operations Group Help Desk at 1-877-480-3201 or Email: ARINQUIRIES@fcc.gov with any questions regarding payment procedures.⁴³ Lancaster Educational Broadcasting Foundation will also send electronic notification on the date said payment is made to Hillary.DeNigro@fcc.gov, Kenneth.Scheibel@fcc.gov, and Anita.Patankar-Stoll@fcc.gov.

13. The response, if any, must be mailed to Hillary S. DeNigro, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, S.W, Room 4-C330, Washington D.C. 20554 and **SHALL INCLUDE** the NAL/Acct. No. referenced above. The Licensee shall also, to the extent practicable, transmit a copy of the response via e-mail to Hillary.DeNigro@fcc.gov, Kenneth.Scheibel@fcc.gov, and Anita.Patankar-Stoll@fcc.gov.

14. The Commission will not consider reducing or canceling a forfeiture in response to a claim of inability to pay unless the respondent submits: (1) federal tax returns for the most recent three-year period; (2) financial statements prepared according to generally accepted accounting practices ("GAAP"); or (3) some other reliable and objective documentation that accurately reflects the respondent's current financial status. Any claim of inability to pay must specifically identify the basis for the claim by reference to the financial documentation submitted.

15. **IT IS ALSO ORDERED** that the complaint **IS GRANTED** to the extent indicated herein and **IS OTHERWISE DENIED**, and the instant complaint proceeding **IS HEREBY TERMINATED**.⁴⁴

⁴¹ See 47 U.S.C. § 399b(a).

⁴² See 47 C.F.R. § 73.503.

⁴³ See 47 C.F.R. § 1.1914.

⁴⁴ For the purposes of the forfeiture proceeding initiated by this NAL, Lancaster shall be the only party to

16. **IT IS FURTHER ORDERED** that a copy of this Notice shall be sent, by Certified Mail/Return Receipt Requested, to Lancaster Educational Broadcasting Foundation, 201 South Broad Street, Suite 301, Lancaster, Ohio 43140.

FEDERAL COMMUNICATIONS COMMISSION

Hillary S. DeNigro
Chief, Investigations and Hearings Division
Enforcement Bureau

ATTACHMENT

The following text was transcribed from underwriting announcements broadcast over noncommercial educational Station WFCO(FM), Lancaster, Ohio, during the period September 2, 2006 until December 2, 2006:

1. *WESBANCO* (2:08 - 2:37) – (29 seconds)

Long on ideas and plans but short on cash? Look no further than your own home. With the Wesbanco home equity line of credit you can borrow up to 90 percent of the equity in your home at a competitively low interest rate.

It provides the ultimate flexibility for your borrowing needs and tax advantages not available on other types of credit because in most cases the interest on home equity lines of credit is tax deductible. Call Wesbanco for complete details on all of our home equity products. Wesbanco Bank Inc. Member FDIC, Equal Housing Lender. Consult your tax adviser regarding deductibility of interests.

2. *STAY AT THE AIRPORT* (2:38 - 3:06) (28 seconds)

A good night's sleep is closer than you think. Family and friends can stay just five minutes away from Capital University at the Columbus Airport Hotels. Club sponsors for the Capital Crusaders. Your best hotel choices are right here at the airport.

Concourse Hotel. Holiday Inn Hotel and Suites. Hampton Inn. Hilton Garden Inn. Comfort Suites and Cross Country Inn. Staying at these airport hotels offers convenience like no other accommodations in town. Call the airport hotel of your choice. For reservations ask for the special capital rate or visit online at stayattheairport.com.

3. *TIME WARNER* (3:08 - 3:58) (50 seconds)

SPEAKER 1: Honey, remember that really great idea I came up with?

SPEAKER 2: You mean Time Warner's great idea.

SPEAKER 1: Yeah, Home Phone Service, Road Runner Lite, and Cable TV. Well, now that we have unlimited calling anywhere in the U.S. and Canada, we spend a lot of money right.

SPEAKER 2: Yeah.

SPEAKER 1: And with Time Warner's high speed Internet service we save both time and money.

SPEAKER 2: All right.

SPEAKER 1: Plus with Time Warner's standard cable service we get the most popular channels.

SPEAKER 2: Okay, where is this going?

SPEAKER 1: More like where are we going?

SPEAKER 2: Were you?

SPEAKER 1: Look, with Time Warner Cable, Road Runner Lite, and digital phone service we are saving a bundle.

SPEAKER 2: (inaudible) a bundle.

SPEAKER 1: So, you can take your bundle of joy on a fabulous vacation.

SPEAKER 2: You are one clever little bundle.

SPEAKER 1: I -- with all the Time Warner.

SPEAKER 1: Call Time Warner at 481-5320. Limited time offer. New customers only. Some restrictions apply. Other money saving bundle packages are also available. Call 481-5320. Home and your TV has never looked or sounded better.

4. *BYERS IMPORTS* (4:12 - 4:42) (30 seconds)

SPEAKER 1: Now that people are driving the new Volkswagen Jetta, which offers more of everything, they are not so willing to accept less in other areas of life.

SPEAKER 2: I thought these tickets were Row Three.

SPEAKER 1: No, Level Three.

SPEAKER 2: I can't even see the van, it looks like a puppet show.

SPEAKER 1: But look un-obstructive view of the jumbo truck.

SPEAKER 2: Huh-uh.

SPEAKER 1: The new Jetta so much more room, power and luxury. You will have a hard time settling for less. To see for yourself, come drive it. You will get it. Visit Byers Imports at 401 North Hamilton, in Columbus.

5. *CINTAS* (4:43 - 5:12) (29 seconds)

SPEAKER 1: This is a true story the people telling it aren't actors they are a Cintas (phonetic) (inaudible) employee and his customer.

SPEAKER 2: I just cashed my paycheck and stuck the entire \$500 in my uniform. It wasn't until I got home that I realized I never took the money out.

SPEAKER 3: We both thought the money was gone. But he told me to check the back pocket and there it was.

SPEAKER 2: I should have realized I wasn't dealing with an ordinary company. Not only did Ken find my money he delivered it in person.

SPEAKER 1: Cintas employees put integrity above all else. At Cintas great people make a great company.

6. *KROGER* (5:13 - 5:41) (28 seconds)

SPEAKER 1: The yellow tags are what I look for. Tells me what's on sale.

SPEAKER 2: If I go down an aisle I know I need something and I look to see where the yellow is.

SPEAKER 1: Look for the yellow tags at Kroger, where sale prices and everyday low prices on the items you buy most.

SPEAKER 2: I found them pretty much on everything, whether it is facial tissue or paper towels.

SPEAKER 1: Milk and the cheeses and things like that.

SPEAKER 2: Something has always got a yellow tag on it.

SPEAKER 1: Go Krogering, the better way to shop.

7. *GAMEDAY MANAGEMENT* (7:36 - 8:05) (29 seconds)

Gameday Management is proud to bring the following sporting events to the airwaves. Gameday Management is an independent sports marketing firm specializing in sports marketing and events, corporate sponsorships, and sports management. You too can be a corporate partner and join our broadcast production. Call 614-759-9662. Partner with Gameday Management and achieve better results with your sports marketing dominance. 614-759-9662. Gameday Management.

8. *CORNA/KOKOSING CONSTRUCTION COMPANY* (8:06 - 8:35) (29 seconds)

Corna/Kokosing Construction Company is proud to support the Capital University Crusaders. The Corna/Kokosing team understands that integrity, commitment and passion produce winning results. Like Capital University, we strive for excellence on and off the field. One example of Corna/Kokosing's legacy of excellence is Bernlohr Stadium the home of the Crusader. Discover how Corna/Kokosing can be your winning team by logging on to www.corna.com Corna/Kokosing Construction Company. Demanding integrity and quality in everything we do.

9. *GRAETER'S* (8:36 - 9:05) (29 seconds)

After the game there is the Graeter's ice cream at Bexley. Enjoy the Capital Crusaders Sundae. Two scoops of black raspberry chip ice cream with hot fudge topping, fresh whipped cream and sprinkles. A great setting for a great university. With 11 Columbus locations it's easy to take your favorite Graeter's with you wherever you go. Let us pack your favorite flavors in

our handy, reusable inflated coolers, guaranteed to stay frozen for 24 hours. Stop by or call our Bexley location at 236-2663. Welcome to the home of the irresistible ice cream. It's Graeter's ice cream.

10. *OLD BAG OF NAILS* (10:08-10:37) (29 seconds)

Looking for the perfect place to eat after the big game? Look no further than the Old Bag of Nails with eight great Columbus locations. Be sure to try our signature fish and chips, the best in Ohio. Don't forget about our juicy steaks, burgers, wings, or bite into our Irish favorite Corned Beef and Hash. Capital fans, be sure to take advantage of our weekend games specials. Visit our Bexley location on the corner of Broad Street and Nelson. Think of the Old Bag of Nails for your post-game fun.

11. *MCDONALD'S SNACK WRAP* (11:08-11:36) (28 seconds)

SPEAKER 1: Hey Harold, we have to put you in a smaller office.

HAROLD: Thanks, I didn't have too much space.

SPEAKER 1: Well, you are being demoted.

HAROLD: Get my desk in my new office?

SPEAKER 1: It looks like somebody missed snack time.

SPEAKER 1: Refuel with a new way to snack. Introducing, Mc Donald's Snack Wrap, tender juicy warm, all-white premium chicken breast meat with crisp lettuce, cheddar jack cheese and zesty ranch sauce, wrapped in a soft flour tortilla

HAROLD: My desk doesn't fit.

SPEAKER 1: For some participation, you have very little time off.

12. *PERSONAL TOUCH PARTY RENTALS & EVENTS* (13:06-13:40) (34 seconds)

MS. WHITTINGTON: Sunny days, cool nights, fall is in the air and it's time for fall sports. Hi, I'm Karol Whittington from Personal Touch Party Rentals & Events. Whether you are tailgating a football field, walking the golf course, or watching your favorite volleyball team, it's time to think about fall entertaining. We can help you with tents, canopies, tables and, chairs. Your event will be one to remember when you add that personal touch. Personal Touch Party Rentals and Events is located at 978 Ety Road in Lancaster, 689-6991. Personal Touch Party Rentals and Events is the proud sponsor of Lancaster and Fairfield County sports on WFCO 90.9 FM

13. *PAPA JOE'S PIZZA* (15:47-16:16) (29 seconds)

Crusader fans, a legendary team deserves a legendary pizza. Papa Joe's, home of the two-foot party pizza and the Rich Boy Sub has been serving Crusader fans for 40 years with their large thin crust pizzas loaded with your choice of toppings. Save your Capital game ticket to receive your Crusader's Special. Visit us at any of our eight Papa Joe's, Columbus area

locations or call us at 444-6868. That's 444-6868. Papa Joe's, the official pizza of Capital University athletics, and a classic since 1963.

14. *STATE FARM AGENT TERESA BUSH* (16:16-16:45) (29 seconds)

What is a good neighbor? It's someone nearby, who helps make your life a little easier. It's State Farm agent Theresa Bush. She takes the time to understand your insurance and financial needs. So whether you are preparing for your child's college education, or planning for retirement, get the kind of help you would expect from a good neighbor. Visit State Farm agent Theresa Bush at 2284 East Main Street in Bexley.

15. *SIGNS BY TOMORROW* (17:04-17:31) (27 seconds)

On the playing fields, the Crusaders boast an all-star line-up. Now that line-up is complete, introducing Signs By Tomorrow. At Signs By Tomorrow, discover a complete roster of signage capability and experience as well as full application, consulting, and design services that include event signs, digital imaging, and vehicle graphics. Whatever your signage needs, be sure to go with the winner. Call Signs By Tomorrow in Gahanna at (614) 478-6473. Signs By Tomorrow, custom signs for all your business needs.

16. *CINTAS* (18:40-19:11) (30 seconds)

SPEAKER 1: This is a true story, the people telling it aren't actors, they work for Cintas.

CHRIS: I made my usual stop at an auto dealership, when a woman cried out for help just a few doors away, her house was on fire. That place was going up fast.

SPEAKER 1: Chris didn't hesitate, he ran right into that burning house.

CHRIS: Her kids were trapped inside, two little kids, I had to do something.

SPEAKER 1: Risking your life for someone you don't know? That's my definition of a hero.

SPEAKER 1: Our employees succeed because they share a spirit. At Cintas, great people make it a great company.

17. *CONNELL'S MAPLE LEAF FLOWERS & GIFTS* (20:32-21:04) (32 seconds)

Do you have that special occasion coming up? Maybe it is an anniversary, or a birthday, or maybe you just want to send that someone special flowers that say I love you. Then look no further than Connell's Maple Leaf Flowers & Gifts for all your floral needs. With four central Ohio locations, Grove City, Bexley, Worthington, and Pickerington, Connell's Maple Leaf Flowers have the perfect gifts for you and your occasion. You can also order arrangements and gifts online at cmflowers.com. Connell's Maple Leaf Flowers & Gifts is a proud partner of Capital University and the Crusaders. A tradition of quality, service, and value since 1883.

18. *KROGER (23:16-23:45) (29 seconds)*

SPEAKER 1: I have a family of five, so I -- you know, I take advantage of all of those sales.

SPEAKER 2: Kroger can absolutely help a family on a budget.

SPEAKER 1: Kroger has low prices on the items you buy most. Just look for the yellow price tags throughout the store.

SPEAKER 2: Lot of things that my family uses seems to be on sale a lot like cereal, and yogurt --

SPEAKER 1: Diapers is the big one.

SPEAKER 2: They have the lowest prices on the items you use everyday.

19. *FAIRFIELD FEDERAL SAVINGS AND LOAN ASSOCIATION (25:38-26:07) (29 seconds)*

MR. SHAFER: This is Chuck Shafer for Fairfield Federal Savings and Loan Association. Looking for a really free checking account? I mean one with no monthly fee, no charge for ATM transactions, free use of a debit card, and a statement each month. How about free Internet banking? Fairfield Federal is the place for you. Local service and local people, that's Fairfield Federal. Stop in at one of our offices today, or visit us at fairfieldfederal.com. Equal housing lender, FDIC insured.

20. *WALKER'S SHOE CENTER (26:08-26:38) (30 seconds)*

MR. WALKER: This is Phil Walker. After 46 years, The Shoe Center, 737 East main, Lancaster is best remembered for our skill and patience in fitting difficult feet. Our shoe fitting expertise is yours. Visit our store, many active adults of all ages find our counsel and help with shoe selection enables them to remain physically active and comfortable in aerobic pursuits. Walker's Shoe Center 654-3166.