

**CARTOON NETWORK
CERTIFICATE OF COMPLIANCE WITH COMMERCIAL LIMITS
FOR CHILDREN'S PROGRAMMING**

I, Toni Millner, in my capacity as Assistant General Counsel and Vice President – Kid Vid Compliance for Turner Broadcasting System, Inc. (“Turner”), hereby certify to the best of my information, knowledge, and belief, that the following information is accurate for the period from July 1, 2019, to September 30, 2019:

- 1) I am familiar with the statutory limits of the Children’s Television Act of 1990 (the “Act”) and the FCC regulations implementing those limits (no more than 12 minutes per hour of commercial matter may be telecast during children’s programming* on weekdays, and no more than 10 ½ minutes per hour on weekends).
- 2) Turner treated all of the programs telecast on Cartoon Network, a leading ad-supported cable television network, as “children’s programming” for the purposes of the commercial limits set forth in the Act except for its telecast in the “Adult Swim” block of programming created for an adult audience that airs late night seven days a week.** On a weekly basis, therefore, approximately 98 hours of television programming were treated as “children’s programming” for the purposes of the commercial limits set forth in the Act.
- 3) Turner has, as a standard practice, formatted and telecast all of the programs on Cartoon Network during the period noted above within the commercial limits set forth in the Act, to the extent applicable to the programming.
- 4) To the best of my information, knowledge and belief, there was only one instance in which the commercial limits were exceeded during this period. A detailed account of the commercial matter “overage” occurring on Monday, September 2, 2019, is included in Exhibit 1.
- 5) Turner regrets this incident, which we have proactively investigated and reported. Turner continues to work to train its personnel and identify ways to improve our KidVid compliance procedures. Moreover, we urge that this incident be viewed in the context of the large amount of children’s programming (approximately 98 hours per week) that Cartoon Network has telecast during this period in compliance with the KidVid rules and regulations.

Certified by me this 3rd day of October, 2019.



Toni Millner
Assistant General Counsel and
Vice President - Kid Vid Compliance
Turner Broadcasting System, Inc.

* “Children’s programming” for the purposes of the commercial limit means “programs originally produced and broadcast primarily for an audience of children 12 years and under.”

**During this period, the “Adult Swim” block of programming aired 7 nights a week from 8 p.m. to 6 a.m. on 7/1/19 – 9/28/19 and from 9 p.m. to 6 a.m. on 9/30/19. The Adult Swim block contains a warning to notify and remind viewers that the content is intended for an adult audience. It is not considered “children’s programming” subject to the commercial limits set forth in the Act.

Exhibit 1

Cartoon Network aired a programming marathon featuring every single episode of *Steven Universe* over the Labor Day weekend. On Monday, September 2, 2019, an employee working within Turner's Broadcast Operations Center ("BOC") discovered that one of the *Steven Universe* interstitials unexpectedly aired two times, which adversely affected the formatting and timing of the remaining programming and commercial elements for the day. This resulted in two minutes of commercial matter spilling into the hour between 9-10 a.m. and a technical commercial overage based on the clock-hour rules.

Turner has a process in which a dedicated "KidVid" compliance team conducts a detailed daily review of the telecast logs and playlists before they are finalized to verify that the commercial time limits will adhere to the statutory limits based upon the clock hour rule. In addition, BOC personnel perform time checks during their shifts and manage any necessary adjustments to the playlists. The BOC personnel discovered that a duplicate *Steven Universe* interstitial was mistakenly added between 7-8 a.m. disrupting the timing of the programming and commercials for the remainder of the day. The BOC personnel who discovered the timing discrepancies worked diligently to make adjustments and correct the remainder of the day's schedule but the discovery was made only after Cartoon Network had already experienced a commercial overage between the 9 a.m. – 10 a.m. hour exceeding the hour's commercial time limits by two minutes.

The investigation has not been able to determine the cause of the duplicate interstitial and whether it was due to an unintentional human or technical error. The BOC personnel on duty appreciated the importance of the KidVid rules and procedures and worked quickly to fix the schedule and avoid any additional commercial overages after the problem was discovered.