

Exhibit 2: Eligibility

The Peralta Community College District ("Applicant") is applying for LPFM station authorization under 47 C.F.R. Section 73.503 of the Commission's rules as a noncommercial educational organization that will utilize its FM broadcast station for the advancement of the Applicant's educational program.

The Applicant meets the eligibility requirements as follows: (1) The Applicant is a public, nonprofit educational organization, as it has been providing public education through four accredited community college campuses since 1964, as demonstrated in Exhibit 2a, Nonprofit Letter, (2) the Applicant's mission statement, as approved by its Board of Trustees, is provided at Exhibit 2b and the long-term education and facilities plan is attached at Exhibit 2c, Facilities Plan and (3) the Applicant will use the station's programming to further its educational purpose, as set out below.

The Applicant's programs are educational in nature, as they provide a means by which public community college students at Berkeley City College, College of Alameda, Laney College and Merritt College ("Applicant's campuses") can advance their studies in Media Communications, Journalism, Multimedia and other courses taught for credit at the Applicant's campuses.

Moreover, the Applicant will provide teaching and instruction to all students at the Applicant's campuses by presenting educational radio programming and learning opportunities for a broader range of disciplines, including the arts, music, social sciences, history, television and radio broadcasting, multimedia design, political science and engineering.

The Applicant's campuses are accredited by the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges, and the Applicant is recognized by the California Department of Education and the California Community Colleges State Chancellor's Office. The Applicant's accreditation status can be found at Exhibits 2d through 2g.

As noted above, the Applicant's proposed station programming will be used to advance the educational purpose of the Applicant's campuses. The Applicant has presented such educational programs through its Internet radio station, 9th Floor Radio since October 2006. Should the Applicant be granted a FM broadcast license, it will transform its Internet radio station to a FM broadcast station with its transmitter located at Laney College, Oakland, Calif., and studios adjacent to the transmitter site, to continue the advancement of the Applicant's educational program at the Applicant's campuses.

The Applicant's 9th Floor Radio ("the station"), named for the top floor of the Laney College administration building, is an Internet radio station that has served the Applicant's campuses and the community for seven (7) years. The station has facilitated the production of 64 unique weekly or monthly programs, each with

years worth of episodes. The station has produced over 2,700 hours of new, original content, which are archived at the station's Website at <http://9thfloorradio.com/>. Detailed descriptions of the programming can also be found at the Website. The station also presents a 24-hour a day, seven days a week audio stream through its Website. The station's program schedule can be found at <http://9thfloorradio.com/schedule/> and is attached as Exhibit 2h, Program Schedule

The station's programs are produced by individuals who collectively represent the diversity of the students at the Applicant's campuses and the community. The station's content is produced locally by current or former students of the Applicant's campuses. Each person producing a radio program at the station receives extensive training in the technical and aesthetic aspects of producing a community radio program.

In addition to technical training provided by the station, other areas in which training is offered include how to produce community news and interview programs, recording promotional clips, social media integration and promotion, and basic audio engineering and editing skills. Students can receive credit for working with the station through the Cooperative Education Program (Course COPED 460A) at the Applicant's campuses.

The station has provided a voice for community and student groups at the Applicant's campuses such as the Black Student Union, Gay Straight Alliance, Peralta Sports and others. Additionally, the station has recorded events organized by the music department at Laney College. Both the annual world music series at Laney College and student recitals are recorded and made accessible through the station.

As noted, the station currently operates as an Internet-only station. It is prepared to become the proposed FM station that, in combination with the existing Internet audio stream and podcasts, will further the Applicant's education programming and allow it to include the a broader segment of the community within its service area.