

SOUTHERN MINNESOTA BROADCASTING COMPANY  
KYBB(FM), CANTON, SOUTH DAKOTA  
EXHIBIT NO. 2

**STATEMENT CONCERNING COMPLIANCE WITH CONDITIONS**

With the exception of condition number 2 to the construction permit dated September 17, 1998, the applicant has complied with all conditions to the construction permit. KYBB(FM) has been constructed and is now operating with the facilities specified in the construction permit. And, with respect to condition number 2, as will be explained below, the applicant has made substantial progress toward the completion of the "partial proof of performance" on co-located AM Broadcast Station KSOO, but was thwarted in completing this proof by a severe hailstorm which inflicted substantial damage to station KSOO. The conditions are explained in order:

1. The required filing fee (at the time of filing the application, \$690.00) was paid on November 10, 1998.

2. Station KSOO(AM) has been operating under a "Special Temporary Authorization" to operate at variance with licensed parameters and to permit measurement of power by the indirect method. The permittee of KYBB has been working to return KSOO(AM) to licensed parameters virtually since it acquired KSOO(AM) in July, 1997; it has been hampered by various events beyond its control, including the transmitter site being flooded at one time, the transmitter site suffering damage from a wildfire at another time, and, most recently, on June 13, 2001, a severe thunderstorm including lightning and softball-sized hail did substantial damage to KSOO. Although most of the damage has been repaired, the correct replacement inductor coils which were ordered from the firm of Cardwell Condensor almost immediately after the storm have not yet been delivered to KSOO (Cardwell shipped coils to KSOO on June 28, 2001, but those were the wrong coils, and the correct ones have not reached KSOO as of yet). Consulting radio engineer Timothy Cutforth of the firm Vir James, P. C. of Denver, Colorado has done extensive work on getting the "partial proof of performance" ready to be filed with the Commission, but the performance of final field work is dependent upon receiving the coils from Cardwell Condensor. The KSOO proof and FCC Form 302-AM will be filed as soon as possible under these circumstances.

3. KSOO(AM)'s current license, File No. BL-19990722DC, specifies as its tower number 2 a tower with tower registration number 1047111, which is KYBB(FM)'s authorized tower.

4. As the applicant is the licensee of KSOO(AM) and KYBB(FM), it will ensure that coordination will take place to reduce power or cease operation if necessary to

protect persons having access to the transmitter site and antenna towers from radiofrequency electromagnetic fields in excess of FCC guidelines.