

**EXHIBIT 2**  
**CONTINUED ELIGIBILITY**

Section (f)(2)(A) of the Community Broadcasters Protection Act (“CBPA”) and Section 73.6001 of the Commission’s rules set forth the criteria an LPTV station must meet to continue to qualify for Class A status. 47 U.S.C. §336; 47 C.F.R. §73.6001. Since November 28, 1999, LPTV stations desiring to maintain eligibility for Class A licenses must have, and must continue to, broadcast at least 18 hours per day, and at least 3 hours per week of locally produced programming. The FCC has defined “locally produced programming” as programming “produced within the predicted Grade B contour of the station or within the predicted Grade B contours of any of the stations in a commonly owned group,” or “programming produced at the station’s main studio.” 47 C.F.R. §73.6000. W02BV meets, and will continue to meet, these continuing eligibility requirements. At all relevant times, it has broadcast 24 hours a day, 7 days a week—well over the 18 hours per day required. Further, as detailed below, at all relevant times W02BV has broadcast more than 3 hours per week of locally produced programming.

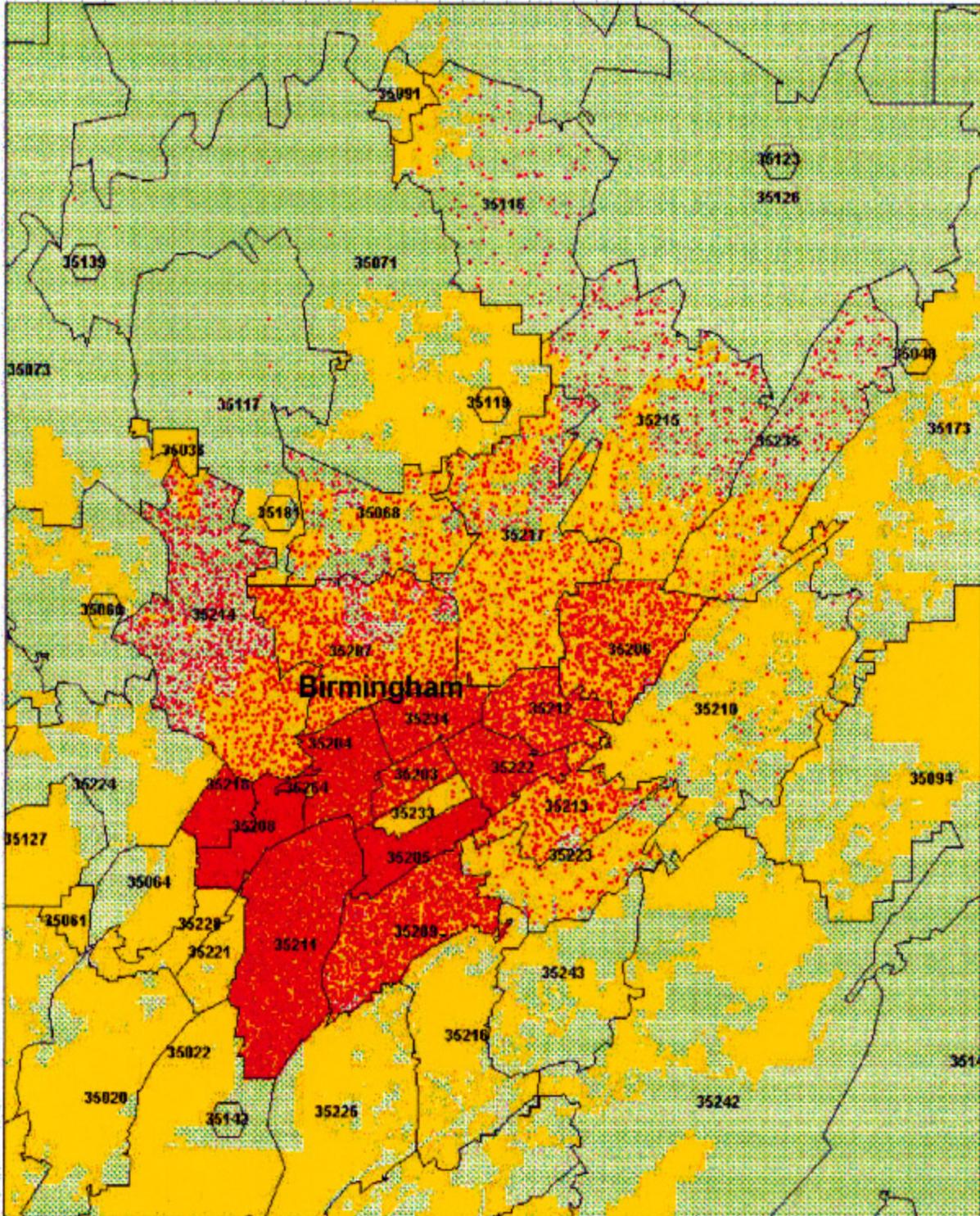
From the ninety-day period ending November 28, 1999 through December 31, 2000, W02BV was affiliated with The Box Music Network (“The Box), a 24-hour interactive music network. As a result of The Box’s unique and interactive approach to programming, W02BV produced its own programming at the station and in conjunction with the viewers in its local audience. It did this by creating its own video playlist using viewer input—viewers requested videos over the phone or on the Internet; and W02BV compiled the requests, assembled the videos and broadcast them in the order they were requested. The map attached as Attachment 1 indicates, by red dots, the locations from which viewer requests were received. In addition to these locally-selected music videos, W02BV aired a number of other program segments. One of these segments was a local segment, produced by each Box station, called “Box Calendar” which highlighted music events in local clubs and concert venues. The W02BV Box Calendar, for November and December 2000, is attached as Attachment 2. This segment was updated daily—events that had already taken place were removed and new events were added as they were announced.

W02BV became affiliated with MTV2 on January 1, 2001. As an affiliate of MTV2, it broadcasts a local block of music videos from 4 to 8 p.m. EST each weekday and from 10 a.m. to 2 p.m. EST on weekends. During these local blocks, W02BV broadcasts the videos most requested by its local viewers. It determines which videos to air by tallying the votes that its local viewers submit via the Internet. (Viewers are permitted to vote only on the videos to be aired in their viewing area.). W02BV also airs a number of other program segments in addition to its local block of music videos. One of these segments is a locally-produced segment, similar to the Box Calendar segment discussed above, which informs viewers of upcoming music events in local clubs and concert venues.

In sum, at all relevant times, W02BV has broadcast a unique blend of programming including a locally-produced mix of music videos and related program segments that more than meets the locally produced programming requirement for Class A stations. W02BV also continues to broadcast more than 18 hours per day, and, accordingly, remains eligible for Class A status.

**ATTACHMENT 1**

The BOX Music Network  
Purchases  
W02BV channel 2, Birmingham AL



9/30/99-11/15/00

**ATTACHMENT 2**

## ALBH / 1029

FIVE FOR FIGHTING  
B & A Warehouse  
Thursday, November 16

SOULED OUT  
Superior Grill  
Thursday, December 14

P.O.D.  
w/ (hed) p.e., LINKIN PARK,  
& PROJECT 86  
Five Points Music Hall  
Friday, November 17

DRIVE BY TRUCKERS  
The Nick  
Friday, December 29

BOWLING FOR SOUP  
w/ ANGIE APARO  
The Nick  
Saturday, November 25

CARMAN  
w/ ZOEgirl  
Birm.-Jefferson Arena  
Monday, November 27

BLOODHOUND GANG  
w/ CAVIAR  
Five Points Music Hall  
Saturday, December 2

ANGER MANAGEMENT  
w/ LIMP BIZKIT, DMX,  
GODSMACK & SINISSTAR  
Birm.-Jefferson Arena  
Sunday, December 3

JUNIOR BROWN  
Five Points Music Hall  
Friday, December 8

FINGER ELEVEN  
Five Points Music Hall  
Sunday, December 10