

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 continuing eligibility requirements for Class A licensees.

To maintain its eligibility for a Class A .license, a Class A station must continue to produce 18 hour a day, and must broadcast 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.

WBXI-CA Television meets each of the continuing eligibility requirements. As an affiliate of MTV2, WBXI-CA broadcasts 24 hours a day, 7 days a week during this time period – well over the 18 hours per day required. Further, WBXI-CA Television broadcast at least 3 hours per week of locally produced programming.

In sum, at all relevant times, WBXI-CA Television has met the locally produced programming requirements, and broadcast more than 18 hours per day. Accordingly, it continues to be eligible for Class A status.