

Special Award Conditions

Award Number: NT10BIX5570105

Amendment Number: 1

1) Revised SAC # 6 - FCC Compliance & Notification SAC ; & add missing 700 MHz Exception

FCC Compliance and Notification SAC

A. The recipient shall comply with the requirements established in the Federal Communications Commission's (FCC) Order in PS Docket 06-229, adopted on May 11, 2010 (FCC 10-79), and all subsequent orders and public notices regarding the use of the 700 MHz public safety broadband spectrum (763-768 MHz and 793-798 MHz). If any future regulatory requirement (from the FCC or other governmental entity) results in a material technical or financial change in the project, the recipient must submit a revised budget, associated documentation, and other material, as applicable, for review and approval by the Grants Office.

B. The recipient shall provide NTIA with copies of all reports, showings, and agreements that are required to be submitted to the FCC within 15 days of submission to the FCC. The recipient shall also provide NTIA with copies of all orders, decisions, and public notices adopted or released by the FCC regarding the recipients use of the 700 MHz public safety broadband spectrum with 15 days of receipt from the FCC.

C. The recipient shall coordinate the public safety component of this project, to the extent applicable, with the full-time Statewide Interoperability Coordinator and the Statewide Interoperability Governance Body established in the State of the project.

and

700 MHz Exception from Interconnection Obligation

The recipient intends to deploy a closed private network that will be excepted from the interconnection obligation established in section V.D.3.b. of the Second BTOP NOFA based on the law enforcement exception. Any BTOP-funded network assets will be restricted to use by public safety entities and only such other parties as are specifically detailed in the recipient's BTOP application. Beyond these specific uses, the recipient shall not sell, lease, or otherwise exchange access, transport, or capacity (including backhaul) on BTOP-funded network assets for any consideration without providing prior written notice to NTIA that the recipient is waiving the law enforcement exception and will comply in full with the interconnection obligation established in the NOFA and receiving approval from NTIA.