

### **Changes to Spectrum Lease Requested by FirstNet:**

- Motorola Solutions Inc. (MSI) is added as a party and co-signer to the lease agreement;
- MSI shall ensure that the operations on the FirstNet Spectrum as of April 30, 2015, comply with any availability, capacity, performance, coverage requirements (such as, disaster management and recovery, network hardening, in-building coverage, service level agreements, key performance indicators, physical network, and cyber security ) adopted by FirstNet for the NPSBN. If funds are not available for changes after April 30, 2015, the three parties shall work together in good faith to develop a plan to implement such changes, but BayRICS is not required to pay the costs of the changes.
- BOOM Agreement. The Motorola and Lessee agree to the following conditions relating to the Build, Own, Operate & Maintain Public Safety Communications System Agreement (“BOOM Agreement”) that they executed on January 30, 2012 and as amended hereto:
  1. The Motorola and Lessee shall amend the definition of “Eligible User” under section 2.8 of the BOOM Agreement to align to the definition of “Eligible Services” in the spectrum lease;
  2. The Motorola and Lessee shall obtain FirstNet approval prior to defining terms of service for system users;
  3. The Motorola and Lessee shall consult with FirstNet on their development and application of any User Fees under section 5.2 of the BOOM agreement, and such User Fees shall comply with the requirements of the Middle Class Tax Relief Act of 2012;
- The parties must also agree to additional BOOM modifications. If the changes to the BOOM do not occur, the lease will terminate.
- If a term or condition of the BOOM Agreement conflicts with a term or condition of the spectrum lease concerning Motorola’s or Lessee’s operations on the FirstNet Spectrum, the term or condition of the spectrum lease shall govern such operations.