

# FREQUENCY UTILIZATION MEMORANDUM OF AGREEMENT

BETWEEN THE STATE OF MONTANA  
PUBLIC SAFETY COMMUNICATIONS BUREAU (PSCB)

AND

MONTANA DEPARTMENT OF CORRECTIONS

## PURPOSE

The purpose of this memorandum is to define the criteria for use of frequencies held under FCC Call Sign WPOJ516, defined below, for FB2/MO use in Department of Corrections, Montana. These frequencies are part of Part 80 VHF Public Coast (VPC30) authorization owned and managed by the State of Montana. Specifically, this agreement pertains to the following locations, channels and frequencies as follows:

Common Site Name	Channel	FB2 Frequency (MHz)	MO Frequency (MHz)
Montana State Prison (Security Response Team)	225	161.8625	157.2625

## TERMS OF AGREEMENT

1. This Memorandum of Agreement specifically applies to the integration and use of State of Montana-PSCB licensed frequencies for integrated use in the Montana Statewide Trunked Radio System.
2. The State of Montana holds a regional market license to operate the above frequencies in the Very High Frequency Public Coast (VPC) Region 30, which includes Department of Corrections.
3. **MO (mobile) frequencies must operate below 20 Watts Effective Radiated Power (ERP).** Mobile operation is restricted to 40 km around the Montana State Prison location.
4. All operations on the frequencies covered in this agreement will be in compliance with FCC regulations as stated in 47 C.F.R. 80.371, 47 C.F.R 90.20(g) and specific requirements under license WPOJ516.
5. The original intent of this license was to provide interoperable trunking communications at the above sites for Department of Corrections, and all local, tribal, state and Federal agencies affiliated with the Montana Statewide Trunking System. Department of Corrections agrees to operate the frequencies as part of the Montana Statewide System, allowing access to all local, tribal, state and federal partners participating in the system.
6. Use of this spectrum is subject to changes in FCC rules and regulations. FCC directed changes in regulations that alter or prohibit use of this spectrum for its intended use is not the responsibility of the State of Montana. Department of Corrections must comply with all FCC requirements.
7. The State of Montana – PSCB has responsibility to hold and maintain License WPOJ516. Any changes in license requirements will be immediately communicated to Department of Corrections. PSCB intends to renew this license but authorization is not guaranteed by the FCC, and is subject to modification of FCC rules. In such a case that PSCB no longer holds this

- license, Department of Corrections must immediately discontinue use of the frequency. FCC notices of license modification supersede the one-year notification requirement.
8. In the case that Department of Corrections no longer uses or operates the Montana Statewide System in the County, Department of Corrections agrees to discontinue use of the spectrum and notify the PSCB. The frequencies shall not be utilized for other use.
  9. The length of this agreement shall be in place until May 19, 2019, which is the current expiration date of the license, unless changes in FCC regulations or system use as described above takes place.

**CONDITIONS**

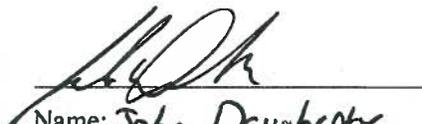
This is the entire agreement of the parties regarding the subject matter hereof. This Memorandum of Agreement may be amended only if done in a writing signed by the parties hereto. All notices under this Memorandum of Agreement must be provided in writing.

Neither party may assign its rights or delegate its duties under this Memorandum of Agreement without the other party's prior written consent. This consent must not be unreasonably withheld.

**SIGNATURES**

By signature hereon, the undersigned agencies agree to support and participate in the activities of the Statewide Communication System and agree to the frequency use agreement set forth in this Memorandum of Agreement.

  
 Elizabeth Wing Spooner      Date: 8/28/14  
 Frequency Specialist  
 Public Safety Communications Bureau

  
 Name: John Daugherty      Date: 9-3-2014  
 Title: Administrator, Information Technology  
 Department of Corrections