I. Purpose

The California Interoperability Committee (“CIC”) has responsibility for managing amendments to the California Data Use and Reciprocal Support Agreement (“CalDURSA”). The purpose of this policy is to set forth the process by which the CIC will fulfill this responsibility.

II. Policy

The CIC shall establish and maintain a process for amending the Data Use and Reciprocal Support Agreement (CalDURSA) that is consistent with Section 23.02 of the CalDURSA. An amendment to the CalDURSA shall be effective only if approved as provided in this policy and Section 23.02 of the CalDURSA.

III. Procedure

A. Retention and Dissemination of the CalDURSA and Joinder Agreements

CAHIE shall maintain the CalDURSA in a publicly accessible location on behalf of the CIC.

CAHIE shall maintain all original, executed copies of the CalDURSA and Joinder Agreements on behalf of the CIC. In addition, CAHIE shall also maintain a list of the current and prior Production Participants in a publicly accessible location.

The current version of the CalDURSA as well as originals of all previous versions shall be maintained for the duration of their usefulness as determined by the CIC.

B. Submission of Proposed Amendments to the CalDURSA

Any Member of the CIC, Participant or any other stakeholder that the CIC deems appropriate may submit in writing to the CIC a request for an amendment to the CalDURSA. Additionally, the CIC may, at its discretion, solicit requests for amendments to the CalDURSA from all Participants and other interested stakeholders.
All requests for proposed amendments shall identify (i) the section of the CalDURSA that is the subject of the requested amendment (if any), (ii) a thorough description of why the requested amendment is necessary, (iii) the proposed language for the requested amendment; and (iv) an analysis of the expected impact of the requested amendment.

C. Consideration of Proposed Amendments to the CalDURSA

The CIC will forward any requests that meet the submission criteria set forth in Section III.B to CAHIE to coordinate an initial legal review. Following this initial legal review, CAHIE will present the requested amendment to the CIC for the committee’s initial consideration at the next regularly scheduled meeting. After considering the request, the CIC determines how to disposition the request and will communicate this determination to the requestor in a written explanation.

If, after considering the request, the CIC determines that the request requires further consideration, it will forward the request to a task group designated by the CIC to review the request and make a recommendation for action to the CIC.

If the task group’s recommendation is that the CalDURSA should not be amended and the CIC approves such a recommendation, the CIC will inform the requestor of its determination in a written explanation.

If the task group’s recommendation is to amend the CalDURSA and the CIC approves such a recommendation, the CIC will identify the timeframe in which it will seek Participant approval of the recommended amendment, either individually or bundled with other scheduled amendments, and when the amendment should be circulated for Participant signature.

When the CIC informs the Participants of its recommendations for amendments to the CalDURSA and seeks Participant approval of such amendments, the CIC will provide Participants with the following information:

- A copy of the proposed amendment to the CalDURSA;
- A reasonably comprehensive statement as to the reasons for the proposed amendment and any foreseeable impact of the change;
- A statement regarding whether the proposed amendment is necessary in order for the CTEN, the CIC, or Participants to comply with Applicable Law;
CIC Operating Policy and Procedure

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<th>Subject</th>
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<tr>
<td>Status</td>
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<td>21 November 2014</td>
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- A projected effective date for the proposed amendment; and
- A time period for the Participant to submit its approval or rejection of the proposed amendment, with sufficient time for Governmental Participants to get any necessary approvals through their clearance process.

If all Participants are represented on the CIC, the obligation to inform all Participants of the proposed amendment may be satisfied through discussion of the amendment at a meeting of the CIC.

D. **Approval of Proposed Amendments to the CalDURSA**

Amendments to the CalDURSA must be approved by the Participants in accordance with Section 23.02 of the CalDURSA. The requirements of that section are explained below.

For proposed amendments to the CalDURSA that are not required for the CTEN, the CIC, or Participants to comply with Applicable Law, at least two-thirds of the Non-Governmental Participants and at least two-thirds of the Governmental Participants must approve the amendment in order for it to be approved.

For proposed amendments to the CalDURSA that are required for the CIC, or Participants to comply with Applicable Law, at least a majority of the Non-Governmental Participants and at least a majority of the Governmental Participants must approve the amendment in order for it to be approved.

The CIC will provide all Participants with notice of the approval of a proposed amendment at least thirty (30) calendar days prior to the effective date of the amendment. Within fifteen (15) calendar days of receiving notice of the amendment, a Participant may request that the CIC delay the effective date of the amendment based on unforeseen complications or other good cause. The CIC will meet to evaluate and respond to the request in writing within seven (7) calendar days.

Once an amendment is approved by the Participants, the CIC will distribute or make the amendment available for execution by all Participants, who must sign the amendment to the CalDURSA prior to the effective date of the amendment or terminate their participation in accordance with the CalDURSA and Operating Policy and Procedure OPP-3.
CIC Operating Policy and Procedure

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IV. Definitions

CalDURSA: California specific Data Use and Reciprocal Support Agreement

All other capitalized terms, if not defined herein, shall have the same meaning as set forth in the CalDURSA.

V. References:

- CalDURSA, Section 23.02

VI. Related Policies and Procedures

None.

VII. Version History

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<td>Dave Minch</td>
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<td>Rim Cothren</td>
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