

Atmospheric & Space Technology Research Associates  
Experimental Application Request for Confidentiality  
Application File Number: 0867-EX-CN-2021

Atmospheric & Space Technology Research Associates (ASTRA) is requesting confidentiality for one of the exhibits filed in support of experimental license application file number 0867-EX-CN-2021, to the extent allowed by the Commission's Rules, 47 C.F.R. §0.459. The exhibit for which confidentiality is requested is ASTRA's NOAA Imagery License. NOAA, a division of the US Department of Commerce, keeps these licenses confidential, and to protect that confidentiality, while allowing the FCC to review the license, ASTRA is seeking confidentiality for that exhibit to its application.

While the Commission's Rules automatically protect some national security information from public disclosure under 47 C.F.R. §0.457, the exhibit submitted here does not fit into the specific provisions of Section 0.457. Therefore, ASTRA is seeking to protect the information submitted here under the provisions of Section 0.459 of the Commission's Rules.

This request for confidentiality requests that the Commission withhold from public view the NOAA imagery license issued to ASTRA. Protection of this information is essential to preserve ASTRA's ability to fulfill its responsibilities to NOAA, among other federal agencies.

In accordance with the OET Electronic filing system requirements, a point by point explanation of the request under section 0.459 of the Commission's Rules is set forth below. ASTRA hereby requests confidential treatment of this application and, in particular, confidential treatment of the exhibits including link budgets and technical data.

Except as provided in [§ 0.459\(a\)\(3\)](#), each such request shall contain a statement of the reasons for withholding the materials from inspection (see § 0.457) and of the facts upon which those records are based, including:

- (1) Identification of the specific information for which confidential treatment is sought;

*information to be kept confidential – the exhibit to application 0867-EX-CN-2021 entitled: “NOAA Imagery License”*

- (2) Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission;

*This application is submitted as required by law to seek authorization to operate, however the circumstances of the operation require the applicant submit information that another federal agency requests to be kept confidential.*

- (3) Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged;

*NOAA keeps this information confidential, so ASTRA is required to protect the information.*

- (4) Explanation of the degree to which the information concerns a service that is subject to competition;

*Not applicable.*

- (5) Explanation of how disclosure of the information could result in substantial competitive harm;

*Not applicable.*

- (6) Identification of any measures taken by the submitting party to prevent unauthorized disclosure;

*ASTRA has not disclosed this information anywhere, and keeps it confidential as part of its obligation to NOAA.*

- (7) Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties;

*The information is not public, and it is closely guarded by the agency that granted the license.*

- (8) Justification of the period during which the submitting party asserts that material should not be available for public disclosure; and

*Confidentiality should last as long as NOAA requires.*

- (9) Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted.

*n/a*