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January 26, 2018

Anthony Serafini  
Branch Chief  
Experimental Licensing Branch  
Office of Engineering and Technology  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

**Re: Capella Space Corp. – Application for a Conventional Experimental Radio License (the “Capella Application”)**

## REQUEST FOR CONFIDENTIAL TREATMENT

Dear Mr. Serafini:

Pursuant to Sections 0.457(d) and 0.459 of the Federal Communications Commission (“FCC” or the “Commission”) rules, 47 C.F.R. §§ 0.457(d) and 0.459, the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, and the Trade Secrets Act, 18 U.S.C. § 1905, Capella Space Corp. (“Capella”), by its undersigned counsel, respectfully requests that the confidential information submitted herewith (the “Confidential Materials”) in connection with the Capella Application not be placed in the public file and that only the redacted version of the Confidential Materials be available for public inspection.

**1. Identification of the specific information for which confidential treatment is sought:**

The Confidential Materials consist of the following document:

- Exhibit 1 – Power Flux Density Analysis

**2. Identification of the FCC proceeding in which the Confidential Materials are being submitted:**

The Confidential Materials are being submitted in connection with the Capella Application, which seeks authorization for a conventional experimental radio license for two Capella Synthetic Aperture Radar (“SAR”) satellites (the “Capella Satellites”).

**3. Explanation of the degree to which the Confidential Materials are commercial or financial, or contain a trade secret of privilege:**

The Confidential Materials contain specific, sensitive, proprietary, technical information relating to the Capella Satellites.

**4. Explanation of the degree to which the Confidential Materials concern a service that is subject to competition:**

Capella is subject to significant competition from other companies that are operating, or seek to operate, constellations of small satellites for purposes of Earth imaging. Capella’s use of certain proprietary SAR technologies make it unique among this group of competitors. However, Capella is at a relatively early stage in its development of these technologies, which is why it is important to protect them at this time from public disclosure. Public disclosure of the Confidential Materials could give Capella’s competitors immediate access to specific, sensitive, proprietary, technical information, which, under normal business circumstances, is not and would not be publicly disclosed.

**5. Explanation of how disclosure of the Confidential Materials could result in substantial competitive harm:**

Public disclosure of the Confidential Materials is likely to cause commercial injury and substantial irreparable harm to Capella, and is therefore exempted from mandatory disclosure under FOIA Exemption 4 and Section 0.457(d) of the Commission’s rules, 47 C.F.R. § 0.457(d).

**6. Identification of any measures taken by Capella to prevent unauthorized disclosure:**

Capella maintains strong access-controlled security at its California headquarters where the Capella Satellites are being manufactured. All employees, vendors, and entrants to Capella facilities are required to sign a strict nondisclosure agreement. Capella has also introduced extensive security precautions for its company computer systems. All Capella computers use full disk encryption, all internet traffic is encrypted, and the internal Capella network is protected by a firewall.

**7. Identification of whether the Confidential Materials are available to the public and the extent of any previous disclosure of the Confidential Materials to third parties:**

To the best of Capella's knowledge, as of the date of this filing, the information contained in the Confidential Materials is not available to the public, and Capella does not intend for it to be released for unlimited, public inspection.

Capella has disclosed certain information contained in the Confidential Materials to some of its vendors (e.g., radio vendor).

**8. Justification of the period during which Capella asserts that the Confidential Materials should not be available for public disclosure:**

Capella has expended substantial financial and in-kind resources to develop the Capella Satellites and taken significant precautionary measures to maintain and safeguard the confidentiality of the Confidential Materials. In this regard, Capella requests that the Confidential Materials be withheld from public inspection by the Commission for an indefinite period, or for the maximum permissible time.

For all of the aforementioned reasons, Capella respectfully requests that the Commission grant Capella's request for confidential treatment of the Confidential Materials, place only the redacted version of the Confidential Materials in the public file, and otherwise withhold the Confidential Materials from public inspection.

Pursuant to 47 C.F.R. 0.459(e), to the extent that the Commission determines to deny this request, in whole or in part, Capella respectfully requests that the entire Capella Application be returned to Capella, rather than the Commission's making public any portion of the Confidential Materials.

Respectfully submitted,

*/s/ Phillip L. Spector*

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Phillip L. Spector  
*Attorney for Capella Space Corp.*