

NextNav LLC
Request for Confidential Treatment
FCC Call Sign WF2XLW

May 2012

NextNav, LLC (“NextNav”), through its attorneys, hereby requests that the included Application Narrative to its application for modification of its experimental license be given confidential treatment and withheld from public inspection pursuant to Section 0.459 of the Commission’s Rules, 47 C.F.R. § 0.459.

Pursuant to the Freedom of Information Act (“FOIA”), public disclosure is not required for “trade secrets, commercial or financial information obtained from a person and privileged and confidential.”¹ The commercial information contained herein falls squarely within this exemption from public disclosure.

Pursuant to Section 0.459(b) of the Commission’s Rules, 47 C.F.R. § 0.459(b), the following information is provided in support of the request for confidential treatment. The information for which confidential treatment is sought is a description of NextNav’s specific efforts to develop and test wireless location technology, filed as an attachment to NextNav’s experimental license modification application, ELS File No. 0094-EX-ML-2012.² This information is proprietary trade secrets and commercial information of NextNav.³ The market for development of wireless location technologies is a very competitive one.⁴ Due to the competitive environment for such services, release of this information could harm NextNav.⁵ This is especially true due to the fact that equipment has not yet been developed to provide cost effective and reliable terrestrial-based wireless location monitoring services and competing efforts are ongoing to develop and deploy such equipment.

It is customary for companies such as NextNav not to disclose the details of its technologies and methods. The commercial information contained in the exhibit has been strictly controlled by NextNav, with distribution limited to internal use only and to other parties (pursuant to appropriate non-disclosure agreements) only for the specific purpose of conducting research, development, and testing of the technology.⁶ NextNav has not disclosed this commercial information to the public and disclosure to any other party has been only as described herein.⁷ NextNav requests that the subject information not be made routinely available for public inspection at any time.⁸ The competitive technical and commercial information contained in the exhibit would benefit NextNav’s competitors and harm NextNav if it is released for public inspection at any time.

¹ 5 U.S.C. § 552(b)(4); *see also* 47 C.F.R. § 0.457(d).

² *See* 47 C.F.R. § 0.459(b)(1), (2).

³ *See* 47 C.F.R. § 0.459(b)(3).

⁴ *See* 47 C.F.R. § 0.459(b)(4).

⁵ *See* 47 C.F.R. § 0.459(b)(5).

⁶ *See* 47 C.F.R. § 0.459(b)(6).

⁷ *See* 47 C.F.R. § 0.459(b)(7).

⁸ *See* 47 C.F.R. § 0.459(b)(8).

Finally, the public interest will be served by the granting of this request for confidential treatment. It is in the public interest that equipment and technologies be developed to provide wireless location monitoring services to facilitate competition in the provision of such services.⁹

Sincerely,
NEXTNAV, INC.

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⁹ See 47 C.F.R. § 0.459(b)(9).