

Date: January 22, 2014  
Subject: Request for Confidentiality  
FCC File Number: 0035-EX-PL-2014

To Whom It May Concern:

Google Inc. (“Google”), pursuant to 5 U.S.C. § 552 and Sections 0.457 and 0.459 of the Commission's Rules, 47 C.F.R. §§ 0.457, 0.459, hereby requests that certain information complementary to its above-referenced application for Experimental Radio Station Authority (“Experimental Application”) be treated as confidential and not subject to public inspection. The designated information constitutes confidential and proprietary information that, if subject to public disclosure, would cause significant commercial, economic, and competitive harm. As described below, Google’s request satisfies the standards for grant of such requests set forth in Sections 0.457 and 0.459 of the Commission’s Rules.

In accordance with Section 0.459(b) and in support of this request, Google provides the following information:

**1. Identification of the Information for Which Confidential Treatment Is Sought:**

Google’s request for confidential treatment is limited to the following information that has been redacted from Exhibit A and Exhibit B to the Experimental Application:

**Exhibit A - Description of Proposed Experiment:**

Google requests confidential treatment of the following underlined text from Exhibit A that contains confidential and proprietary information regarding the proposed tests/experiments.

Authority is needed for demonstration and testing of

[REDACTED]

Grant of this experimental STA will not adversely impact any authorized user of RF spectrum.

[REDACTED]

Footnote 1: [REDACTED]

Footnote 3: [REDACTED]

**Exhibit B - Technical Information:**

Google requests confidential treatment of the following portions from Exhibit B that contain confidential and proprietary information regarding the proposed tests/experiments.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Footnote 1 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Footnote 2 [REDACTED]

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

The above-referenced Exhibits were submitted to the Commission in support of the Experimental Application. These Exhibits were filed with the Office of Engineering and Technology on January 22, 2014. For additional information, please see File No. 0035-EX-ST-2014.

**3. Explanation of the degree to which the information is commercial or financial or contains a trade secret or is privileged.**

The information requested to be kept confidential has significant commercial value. The details of the Experimental Application tests/experiments include trade secret information. The Commission has determined that confidential treatment should be afforded to trade secrets.<sup>1</sup> Google's tests/experiments and proprietary wireless applications using particular radiofrequency equipment represent a "secret commercially valuable plan" within the meaning of a trade secret as recognized by the Commission.

In addition, agreements entered into between Google and the parties involved in the testing require that confidential information of the parties be held in strict confidence, and that such information not be disclosed to any third party (with limited exceptions not applicable to this request). In particular, the manufacturer name and model number constitute confidential trade secrets, technical information, and business information.

**4. Explanation of the degree to which the information concerns a service that is competitive.**

The services and technologies that are the subject of this Experimental Application have not yet been fully developed but are expected to lead to material developments in markets subject to fierce competition from multiple U.S. and non-U.S. third parties.

**5. Explanation of how disclosure of the information could result in substantial competitive harm.**

The technology under development is highly sensitive and confidential in nature. The release of such information would provide valuable insight into Google's technology innovations and potential business plans and strategies. Public disclosure will jeopardize the value of the technology under examination by enabling others to utilize Google's information to develop similar products in a similar timeframe.

**6. Identification of any measures taken by the requesting party to prevent unauthorized disclosure.**

Google has taken steps to keep confidential the information set forth in the confidential exhibits by limiting the number of people involved in the tests/experiments to only those on a "need to know" basis, and by requiring that all third parties involved in the preliminary analysis execute robust nondisclosure agreements.

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<sup>1</sup> Examination of Current Policy Concerning the Treatment of Confidential Information Submitted to the Commission, Report and Order, GC Docket No. 96-55, at para. 3, (released August 4, 1998) (defining "trade secrets" for purpose of Commission rules on confidential treatment).

**7. Identification of whether the information is available to the public and the extent of any previous disclosures of the information to any third parties.**

The information contained in the confidential exhibits is not available to the public, and has only been disclosed to third parties pursuant to the restrictive safeguards described above.

Google voluntarily provides the information to the Commission at this time with the expectation that it will be treated confidentially in accordance with the Commission's rules. *See Critical Mass Energy Project v. Nuclear Regulatory Comm'n*, 975 F.2d 871, 879 (D.C. Cir. 1992) (commercial information provided on a voluntary basis "is 'confidential' for the purpose of Freedom of Information Act (FOIA) Exemption 4 if it is of a kind that would customarily not be released to the public by the person from whom it was obtained.")

**8. Justification of the requested period of confidentiality**

Google expects that confidential treatment will be necessary for the length of the proposed experiment and thereafter in order to protect Google's evolving business and technology strategies.

**9. Any other information that would be useful in assessing whether this request should be submitted.**

The information subject to this request for confidentiality should not be made available for public disclosure at any time. There is nothing material that public review of this information would add to the Commission's analysis of Google's request for an experimental authorization. Experimental license grants are not subject to Public Notice requirements set forth in the Communications Act. Further, experimental authorizations do not grant permanent rights to operate and do not permit the provision of commercial services to customers. *See* 47 C.F.R. § 5.3 (describing limited scope of permissible experimental services).

Moreover, public disclosure of the sensitive information in the confidential exhibits to the Experimental Application after the Commission has ruled on the Request for Confidentiality is not necessary for the Commission to fulfill its regulatory responsibilities.

Consistent with 47 C.F.R. § 0.459(d)(1), Google requests notification if release of the information subject to this request is requested pursuant to the FOIA or otherwise, so that Google may have an opportunity to oppose grant of any such request.

Sincerely yours,

/s/

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Aparna Sridhar  
Counsel  
Google Inc.

**EXHIBIT A – DESCRIPTION OF PROPOSED EXPERIMENT**

Google Inc. (“Google”), pursuant to Section 5.1 of the Federal Communications Commission’s (“FCC’s” or “Commission’s”) Rules, 47 C.F.R. § 5.1, hereby requests Experimental Authority (“Authority”) to conduct demonstrations of prototype transmitters. Authority is sought for a period of 24 months beginning not later than March 1, 2014. Consistent with the standards set forth in Part 5 of the Commission’s Rules, Google outlines below its need for the requested Authority, and how experimentation conducted under the Authority will advance the radio art.

Google is an Internet company. We provide online products and services that depend on users having access to robust spectrum resources and wireless infrastructure. Given the ever-increasing and competing demands on spectrum and infrastructure, Google has become an innovator in spectrum sharing technologies and efficient use of wireless infrastructure.

Authority is needed for demonstration and testing of

[REDACTED]<sup>1</sup>

Grant of this experimental STA will not adversely impact any authorized user of RF spectrum.<sup>2</sup>

[REDACTED]<sup>3</sup>

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<sup>1</sup> [REDACTED]

<sup>2</sup> Google acknowledges that experimental radiofrequency testing occurs on a sufferance basis and has provided contact information for personnel with kill switch authority in Exhibit B. Google will take appropriate action to suspend testing upon request from the Commission.

<sup>3</sup> [REDACTED]

**EXHIBIT B - TECHNICAL INFORMATION**

**Applicant Name:** Google Inc.  
**Applicant FRN:** 0016069502

**Legal Contact Details**

<b>Name of Contact:</b>	Aparna Sridhar
<b>Contact Details:</b>	Counsel 1101 New York Avenue NW, Second Floor Washington DC 20005

**Technical Contact Details**

<b>Name of Contact:</b>	Russell Smith
<b>Contact Details:</b>	1600 Amphitheatre Parkway Mountain View, CA 94043 Phone: 650-253-2092 Email: russells@google.com

**Alternative Technical Contact Details**

<b>Name of Contact:</b>	Dan McCloskey
<b>Contact Details:</b>	1600 Amphitheatre Parkway Mountain View, CA 94043 Phone: 650-214-4102 Email: dmccloskey@google.com

**[REDACTED] Transmitter One**

[REDACTED]

[REDACTED]

<b>Radius of Operation</b>	Nationwide
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[REDACTED]<sup>1</sup>

[REDACTED]

[REDACTED]

<b>Frequency Range / Tolerance</b>	<b>High (GHz)</b>	<b>Low (GHz)</b>
In lieu of frequency tolerance, the occupied bandwidth of test emissions shall not extend beyond the following band limits.	77.00000	76.0000

<b>Antenna</b>	<b>Modulation</b>	<b>Emission Designator</b>	<b>Bandwidth (MHz)</b>	<b>Power Out (Watts)</b>	<b>ERP (Watts)</b>	<b>EIRP (dBW)</b>
1	FM	1G00F3N	1000	0.008	48.780	19.031
2	FM	1G00F3N	1000	0.015	9.146	11.761
3	FM	1G00F3N	1000	0.015	0.915	1.761

<b>Antenna 1 Details</b>	
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[REDACTED]

<b>Gain</b>	40 dBi
<b>Beam Width at Half-Power Point</b>	5
<b>Orientation in Horizontal Plane</b>	NA
<b>Orientation in Vertical Plane</b>	NA

<b>Antenna 2 Details</b>	
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[REDACTED]

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<sup>1</sup> [REDACTED]

<b>Gain</b>	30 dBi
<b>Beam Width at Half-Power Point</b>	22.5
<b>Orientation in Horizontal Plane</b>	NA
<b>Orientation in Vertical Plane</b>	NA

<b>Antenna 3 Details</b>	
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[REDACTED]

<b>Gain</b>	20 dBi
<b>Beam Width at Half-Power Point</b>	30
<b>Orientation in Horizontal Plane</b>	NA
<b>Orientation in Vertical Plane</b>	NA



**[REDACTED] Transmitter Two**

[REDACTED]

[REDACTED]

<b>Radius of Operation</b>	Nationwide
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[REDACTED]<sup>2</sup>

[REDACTED]

[REDACTED]

<b>Frequency Range / Tolerance</b>	<b>High (GHz)</b>	<b>Low (GHz)</b>
In lieu of frequency tolerance, the occupied bandwidth of test emissions shall not extend beyond the following band limits.	77.00000	76.0000

<b>Antenna</b>	<b>Modulation</b>	<b>Emission Designator</b>	<b>Bandwidth (MHz)</b>	<b>Power Out (Watts)</b>	<b>ERP (Watts)</b>	<b>EIRP (dBW)</b>
1	FM	1G00F3N	1000	0.008	48.780	19.031
1	BPSK	1G00G3N	1000	0.008	48.780	19.031
2	FM	1G00F3N	1000	0.030	18.293	14.771
2	BPSK	1G00G3N	1000	0.030	18.293	14.771
3	FM	1G00F3N	1000	0.030	1.829	4.771
3	BPSK	1G00G3N	1000	0.030	1.829	4.771

<b>Antenna 1 Details</b>	
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[REDACTED]

<b>Gain</b>	40 dBi
<b>Beam Width at Half-Power Point</b>	5
<b>Orientation in Horizontal Plane</b>	NA
<b>Orientation in Vertical Plane</b>	NA

<sup>2</sup> [REDACTED]

<b>Antenna 2 Details</b>	
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[REDACTED]

<b>Gain</b>	30 dBi
<b>Beam Width at Half-Power Point</b>	22.5
<b>Orientation in Horizontal Plane</b>	NA
<b>Orientation in Vertical Plane</b>	NA

<b>Antenna 3 Details</b>	
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[REDACTED]

<b>Gain</b>	20 dBi
<b>Beam Width at Half-Power Point</b>	30
<b>Orientation in Horizontal Plane</b>	NA
<b>Orientation in Vertical Plane</b>	NA