

Google Inc.
File No. 0850-EX-ST-2015

Date: September 2, 2015
Subject: Request for Confidential Treatment
FCC File Number: 0850-EX-ST-2015

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 Special Temporary Authority (STA) 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 the STA and complementary exhibits. Google does not seek to withhold from public inspection information necessary for interference mitigation, including applicant name, contact information, test location, frequency, output power, effective radiated power, emission characteristics and modulation.

Google requests confidential treatment of the following underlined text from each of the exhibits in support of the application, all of which contain confidential and proprietary information regarding the proposed tests/experiments.

**Exhibit A - Request for Special Temporary Authority and Waiver of
[REDACTED]:**

Google Inc. (Google), pursuant to Section 5.61 of the Federal Communications Commission's (FCC's or Commission's) Rules, 47 C.F.R. § 5.61, hereby requests a Special Temporary Authority (STA) to conduct experimental operations. The STA is sought for a period of 180 days. Consistent with the standards set forth in the rule, Google outlines below its need for the requested STA and the reasons that this request should be granted expeditiously.

Google's Project Wing involves the development of low-altitude small unmanned aerial systems (UAS). These UAS can help to solve many longstanding challenges, such as rapidly delivering medical supplies to remote areas and inspecting hard-to-reach infrastructure without risk to human participants. The requested STA, including waiver of [REDACTED], is needed for demonstration and testing of [REDACTED], in a carefully controlled environment.

Testing under the STA will be limited to [REDACTED] transmitters [REDACTED]. [REDACTED]. [REDACTED]. [REDACTED].

The transmitters [REDACTED] are [REDACTED] that have been certified by the Commission for sale in the United States. Because the transmitters will be [REDACTED], they will only operate on the frequencies [REDACTED] at the proposed test area.¹

Flight operations are being conducted pursuant to an [REDACTED], which is provided as Exhibit C. [REDACTED].

The proposed use of the transmitters conforms to applicable Commission rules in all respects but one: [REDACTED].² [REDACTED].³ [REDACTED]. [REDACTED].⁴

These concerns are not relevant to the operations proposed in this STA, as the Wing [REDACTED]. [REDACTED]. [REDACTED].

As reflected in Exhibit D, [REDACTED] providing service to the transmitters at issue in this STA (and to the surrounding areas) confirms that the proposed use does not pose any threat to [REDACTED]. Google does not propose to operate on frequencies [REDACTED].

The Commission is considering whether to [REDACTED].⁵ This proposal is grounded in the same concern as the current [REDACTED].⁶ For the same reasons discussed above, the [REDACTED] operations proposed here do not implicate that concern. Accordingly, Google seeks the requested authorization notwithstanding the possible future amendment of [REDACTED],⁷ or any other changes to the Commission's rules that otherwise would restrict or prohibit the proposed operations during the term of the STA.

¹ See Exhibit B for a complete list of frequencies that will be used by each transmitter.

² [REDACTED].

³ [REDACTED].

⁴ *Id.*

⁵ [REDACTED].

⁶ [REDACTED].

⁷ [REDACTED].

Absent the requested authorization, Google will be unable in its testing to take advantage of [REDACTED]. This would limit the value of the planned radio experimentation and hinder the development of a significant new use case for [REDACTED]. [REDACTED] could generate new business opportunities for communications service providers and remove barriers to the broader deployment of UAS.⁸ This technology could also support important safety advances, as Google and other companies work develop robust, redundant mobile communications for UAS.⁹

Exhibit B - Technical Information:

Applicant Name: Google Inc.
Applicant FRN: 0016069502

Legal Contact Details

Name of Contact	Aparna Sridhar
Contact Details	Counsel 25 Massachusetts Avenue NW, Ninth Floor Washington DC 20001

Technical Contact Details

Name of Contact	Jeremy Chalmer
Contact Details	1600 Amphitheatre Parkway Mountain View, CA 94043 jchalmer@google.com 650-253-9000

⁸ See Comments by the Association for Unmanned Vehicle Systems International, App. at 2-15 *Operation and Certification of Small Unmanned Aircraft Systems*, FAA-2015-0150 (May 6, 2015), <http://www.regulations.gov/#!documentDetail;D=FAA-2015-0150-4416>.

⁹ See Comments of Google Inc. *Operation and Certification of Small Unmanned Aircraft Systems at 10*, FAA-2015-0150, <http://www.regulations.gov/#!documentDetail;D=FAA-2015-0150-4529>.

Transmitter #1 Equipment and Station Details

Equipment	[REDACTED]
Number	[REDACTED]
Area of Operation	Operation will be confined to the area delimited by a 10 km radius around: 37° 22' 44.0" N 120° 19' 41.7" W

Transmitter #2 Equipment and Station Details

Equipment	[REDACTED]
Number	[REDACTED]
Area of Operation	Operation will be confined to the area delimited by a 10 km radius around: 37° 22' 44.0" N 120° 19' 41.7" W

Transmitter #3 Equipment and Station Details

Equipment	[REDACTED]
Number	[REDACTED]
Area of Operation	Operation will be confined to the area delimited by a 10 km radius around: 37° 22' 44.0" N 120° 19' 41.7" W

Transmitter #3 Antenna Information

Antenna	[REDACTED]
Type	Omnidirectional
Quantity	[REDACTED]
Gain	1.49 dBi to 2.93 dBi (frequency dependent)
Beam Width at Half-Power Point	120°
Orientation in Horizontal Plane	N/A
Orientation in Vertical Plane	N/A

Frequencies

Transmitter	AT&T Frequency Low (MHz)	AT&T Frequency High (MHz)
[REDACTED]	706.50 824.20 845.00 1710.70 1730.00 1865.00 1895.00	713.50 835.00 846.50 1720.00 1735.00 1885.00 1909.80
[REDACTED]	706.50 824.20 845.00 1710.70 1730.00 1865.00 1895.00	713.50 835.00 846.50 1720.00 1735.00 1885.00 1910.00
[REDACTED]	709.00 825.50 845.00 1717.50 1730.00 1865.00 1895.00	711.00 835.00 846.50 1720.00 1735.00 1885.00 1909.300

Radio	Modulation	Emission Designator	Bandwidth	Power Out	EIRP
[REDACTED]	Digital	20M0D7D	20 MHz	~0.25 W	-6 dBW
[REDACTED]	Digital	20M0D7D	20 MHz	~0.25 W	-6 dBW
[REDACTED]	Digital	20M0D7D	20 MHz	~0.28 W	-5.5 dBW

Exhibit C - [REDACTED]:

Google requests confidential treatment of Exhibit C in its entirety.

Exhibit D - Correspondence with [REDACTED]:

Google requests confidential treatment of Exhibit D in its entirety.

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 STA. These Exhibits were filed with the Office of Engineering and Technology (OET) on August 6, 2015. Pursuant to the request of OET, revised Exhibits A and B were filed on September 2, 2015. For additional information, please see File No. 0850-EX-ST-2015.

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 STA tests/experiments may include trade secret information. The Commission has clarified that confidential treatment should be afforded to trade secrets.¹⁰ Google's tests/experiments and proprietary wireless applications using particular radio frequency equipment represent a "secret commercially valuable plan" within the meaning of a trade secret as recognized by the Commission.

¹⁰ *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 Aug. 4, 1998) (defining "trade secrets" for purpose of Commission rules on confidential treatment).

In addition, agreements entered into between Google and the parties that provided equipment for testing or will provide analysis of test results 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). The manufacturer name and model number constitutes 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 STA have not yet been fully developed but are expected to lead to material developments in markets subject to 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 would jeopardize the value of the technology under examination by enabling others to utilize Google's information to develop similar products in a similar time frame.

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 any third parties involved in the preliminary analysis execute robust nondisclosure agreements.

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.

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 its 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.

Moreover, public disclosure of the sensitive information in the confidential exhibits to the STA 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)(l), 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,



Aparna Sridhar

EXHIBIT A
REQUEST FOR SPECIAL TEMPORARY AUTHORITY
and
WAIVER OF [REDACTED]

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Testing under the STA will be limited to [REDACTED] transmitters [REDACTED]. [REDACTED]. [REDACTED]. [REDACTED].

The transmitters [REDACTED] are [REDACTED] that have been certified by the Commission for sale in the United States. Because the transmitters will [REDACTED], they will only operate on frequencies [REDACTED] at the proposed test area.¹

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EXHIBIT B - TECHNICAL INFORMATION

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Applicant FRN: 0016069502

Legal Contact Details

Name of Contact	Aparna Sridhar
Contact Details	Counsel 25 Massachusetts Avenue NW, Ninth Floor Washington DC 20001

Technical Contact Details

Name of Contact	Jeremy Chalmer
Contact Details	1600 Amphitheatre Parkway Mountain View, CA 94043 jchalmer@google.com 650-253-9000

Transmitter #1 Equipment and Station Details

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Number	[REDACTED]
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Transmitter #2 Equipment and Station Details

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Number	[REDACTED]
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EXHIBIT C - [REDACTED]

[REDACTED]

EXHIBIT D - CORRESPONDENCE WITH [REDACTED]

[REDACTED]