

CONFIDENTIAL TREATMENT REQUESTED

Re: Hewlett-Packard Company;
Application for new experimental authority;
Request for Confidential Treatment of Plan of Study

Hewlett-Packard Company ("HP") herein supplements the instant application for new experimental authority with a request for confidential treatment. Specifically, HP seeks confidential treatment of the attached Plan of Study exhibit ("Plan") in which HP outlines the proprietary methods it is employing in a research program that proposes the use of various materials toward the objective of developing a new technology. Given the sensitive nature of the information provided, HP requests herein that its Plan be held in confidentiality by the Commission until the end of HP's proposed research program (i.e., 24 months) when its experimental license will expire. At the end of that research program, HP feels that it will have made sufficient progress that the Plan can be made public, as the technology it concerns will likely be utilized in components that will be ready for market.

Accordingly, pursuant to Section 552(b)(4) of the United States Code and Sections 0.457(d) and 0.459 of the Commission's rules, HP requests that the attached Plan be given confidential treatment and not be placed in any publicly-available Commission file until the end of its experimental license term. HP seeks confidentiality because the request includes commercial information that "would customarily be guarded from competitors" regardless of whether such materials are protected from disclosure by privilege.¹

In particular, HP notes that its competitors might be given unfair advantage were the specifics of the Plan to be made public prior to HP's ability to bring the technology that it is developing to market. If such information were disclosed, HP would be placed at a competitive disadvantage, and the value of its proposed products could be damaged.

Accordingly, and for the reasons stated herein, HP asks that the attached request be withheld from public inspection for the duration of the experimental license term resulting from the subject application request.

¹ See 47 C.F.R. § 0.457(d); see also *Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992) ("we conclude that financial or commercial information provided to the Government on a voluntary basis is "confidential" for the purpose of Exemption 4 [to the FOIA] if it is of a kind that would customarily not be released to the public by the person from whom it was obtained.").