

REQUEST FOR WITHHOLDING INFORMATION FROM ROUTINE PUBLIC DISCLOSURE

File No. 0483-EX-CN-2017

The Internet of Things Group of Intel Corporation (“Intel”) requests pursuant to Section 0.459 of the Commission’s Rules that certain materials included within the above-referenced application for experimental license be withheld from routine public disclosure. In support of that request, Intel provides the following information:

Identification of materials to be withheld from routine public disclosure (§0.459(b)(1)):

Intel requests that all of the information contained in “Attachment 1” pdf document submitted with the application be withheld from routine public disclosure. Intel does not seek to withhold from public inspection any information necessary for interference mitigation, including the applicant name, contact information, locations, frequencies and power levels.

Identification of the Commission proceeding in which the information was submitted (§0.459(b)(2)):

The material has been submitted in connection with the Intel application for experimental license that has been assigned File No. 0483-EX-CN-2017.

Explanation of the degree to which the information is commercial or financial, or contains a trade secret, or is privileged (§0.459(b)(3)):

The testing and validation to be completed is using technology for a new market and in innovative ways. Intel closely guards the information in “Attachment 1” against disclosure to competitors and the public. The information for which confidential treatment is sought concerns Intel’s private business and operations. See 47 C.F.R. §§ 0.459(a)(4), 0.457(d)(2). Such proprietary and confidential information may be withheld from public disclosure under the Freedom of Information Act (“FOIA”) Exemption 4.

Explanation of the degree to which the information concerns a service that is subject to competition (§0.459(b)(4)):

As discussed above, the new market and use of technology in ground-breaking ways and for the wireless devices that are the subject of the request for experimental license will likely be highly competitive one. The information for which confidential treatment is sought concerns Intel’s private business and operations and “would customarily be guarded from competitors.” See 47 C.F.R. §§ 0.459(a)(4), 0.457(d)(2).

Explanation of how disclosure of the information could result in substantial competitive harm (§0.459(b)(5)):

Public disclosure of the commercially-sensitive, proprietary, and confidential operational information set forth in "Attachment 1" would cause competitive harm to Intel. The wireless industry is highly competitive, and the participants are always interested in finding information about device prototypes of others, as well as applicable development in order to gain a competitive advantage. As noted above, if Intel's competitors were to become aware of the facts set forth in "Attachment 1" to the application at this time, it could deprive Intel of the marketplace benefit it otherwise will achieve by virtue of having product available before other competitors and thus have an adverse impact on Intel's competitive standing.

Identification of any measures taken by the submitting party to prevent unauthorized disclosure (§0.459(b)(6)):

Intel will not be disclosing to the public that it will be delivering the devices discussed in "Attachment 1" for evaluation by select Intel employees, contractors and partners or that it has sought this experimental license. Those Intel employees receiving the devices for testing will be instructed on the need to maintain confidentiality regarding the nature and source of the device, and all Intel contractors and partners that receive the devices are subject to confidentiality agreements.

Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties (§0.459(b)(7)):

Intel has not made the information subject to this request available to the public and does not routinely disclose such commercially sensitive information to the public or to third parties, and has established procedures to protect such information internally. Some of the details regarding the prototype devices that are the subject of the application have been disclosed to a very select group of potential partners, but in all cases pursuant to non-disclosure agreements. There has been no prior disclosure that Intel is seeking this experimental license or will be delivering prototype devices to employees for testing. Intel voluntarily provides the information at this time with the expectation that it will be treated confidentially in accordance with the Commission's rules.

Justification of the period during which the submitting party asserts that material should not be available for public disclosure (§0.459(b)(8)):

Given the competitive nature of the marketplace, disclosure that Intel is about to enter the particular marketplace referenced in "Attachment 1" would harm Intel's competitive position. Intel requests that the information be held confidential during the period for which the experimental license operations is requested, and thereafter until such information no longer is deemed confidential and proprietary by Intel and no longer subject to Intel's internal procedures for maintaining its confidentiality.

Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted (§0.459(b)(9)):

The information for which confidential treatment is requested falls within FOIA Exemption 4, which provides a statutory basis for withholding from public inspection “matters that are trade secrets and commercial or financial information obtained from a person and privileged or confidential.” 5 U.S.C. § 552(b)(4).

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