

REQUEST FOR CONFIDENTIAL TREATMENT

Under the Freedom of Information Act (“FOIA”), public disclosure is not required for “trade secrets, commercial or financial information obtained from any person and privileged or confidential.” *See* 47 C.F.R. § 0.457(d). Intelsat License LLC (“Intelsat”) respectfully asserts that certain information provided pursuant to the above-referenced application falls within this exemption from public disclosure and that other important factors listed below support confidential treatment.

Pursuant to the requirements of 47 C.F.R. § 0.459(b), Intelsat submits the following information in support of its request for confidential treatment:

§ 0.459(b)(1) -- Identification of the specific information for which confidential treatment is sought:

The information that requires confidential treatment involves U.S. Government points of contact relating to military and national security operations; it is contained in the exhibit titled “Narrative Description and Public Interest Statement,” and which is the document for which confidential treatment is being sought.

§ 0.459(b)(2) -- Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission:

Intelsat submitted this information in support of its request for an experimental license (ELS File No. 0512-EX-PL) to conduct continued testing of its Ku-band, AMSS network, necessary to support the global communications needs of U.S. Government military and national security operations.

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

The information submitted by Intelsat is of commercial value as it concerns the highly competitive market for contracts providing communications to support U.S. Government military and national security missions; in addition, Intelsat has received specific requests from U.S. Government and military personnel that this information be treated as privileged and confidential.

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

The market for contracts providing communications to support U.S. Government military and national security missions is highly competitive.

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

Release of the information would harm Intelsat by providing competitors with specific points of contact in existing and potential government contract procurements and by failing to honor the requests for confidentiality of Intelsat's U.S. Government and military customers. In addition, disclosure of the information could adversely affect important U.S. Government military and national security interests.

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

Intelsat has protected and will continue to protect this information as confidential and proprietary. These contacts and associated information have only been divulged within Intelsat to personnel with a direct need to know, and it has not been disclosed to outside consultants unless privilege attaches and confidentiality is agreed.

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

Intelsat has not disclosed this information to third parties and understands that this information is not publicly available.

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

Intelsat requests that because of its relationship to critical military and national security operations, this information not be made available for public inspection at any time.

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

It is in the public interest that FCC licensees providing services pursuant to government contracts, particularly in support of military and other national security missions, have the ability to keep related information confidential and respect the requests for confidentiality of their U.S. Government customers. If the Commission denies this request for confidential treatment, Intelsat will withdraw the exhibit described herein.