

CONFIDENTIALITY REQUEST
Request for Special Temporary Authority
Leidos, Inc. – File No. 0467-EX-ST-2015

By the enclosed Application, Leidos, Inc. (Leidos) requests that the Commission grant a special temporary authority to operate the facilities (the “Facilities”) specified in the instant request.

Pursuant to 47 C.F.R. §0.459, confidential treatment of the information contained in Exhibit 3 – “Description of Operations” to the instant Application (referred to herein as “Exhibit 3”) is requested.

In accordance with 47 C.F.R. §0.459(b), confidential treatment of Exhibit 3 is requested for the following reasons:

1. Confidential treatment is requested for the entirety of the information contained in Leidos’ Exhibit 3. For the sake of clarity, this is to confirm that confidentiality is requested for Exhibit 3 to the Application, but the technical data present in the Form itself can be made publicly available. This Confidentiality Request itself does not contain any confidential information and, therefore, can also be made publicly available.
2. The submission in connection with which the subject information is being submitted is the instant Application submitted by Leidos under File No. 0467-EX-ST-2015.
3. The information contained in Exhibit 3 constitutes confidential, proprietary commercial information concerning the testing required for the development of this RADAR device. Disclosure of such information would cause irreparable injury and substantial harm to Leidos’ ongoing business operations and competitive position. The information is extremely commercially sensitive and is not available to the public in any substantially similar form. The information in Exhibit 3 is an integral part of the design, engineering and manufacturing process associated with Leidos’ implementation of the system with which the Application is associated.
4. The information contained herein includes information of a highly confidential and proprietary nature, as the development and creation of intention and technology is the backbone of the defense and government contractor industry. As Leidos seeks to achieve an edge over its competitors, it is the development of its proprietary information that will dictate to what extent the company may maintain such an edge. The industry is a most competitive one, and the inadvertent release of any proprietary information would have a severe negative impact on Leidos’ position in the marketplace.

5. Leidos' competitive position could be particularly negatively affected by a disclosure of confidential information to the public, which, of course, includes Leidos' larger competitors. Due to Leidos' power in the marketplace, disclosure of the information in Exhibit 3 would cause irreparable injury and substantial harm to Leidos' ongoing business operations and competitive position. At the core of Leidos' operations is its development of proprietary information, which it uses as the basis to obtain a competitive edge over other government contractors. Improper disclosure of proprietary information, and the release of such disclosure could have an extremely negative impact on the ability of Leidos and its operations. Also, certain proprietary information developed by Leidos is used as the basis for development of systems and functions used in the defense of the United States. Due to the unique nature of Leidos' prime customer, the United States government, confidentiality of our proprietary information must be the company's priority.
6. The information in Exhibit 3 is not currently available to the public in any substantially similar form. Leidos takes all commercially necessary steps to prevent this information from being disclosed to the public. Leidos requires, prior to the release of any of its proprietary information, that any such receiving party execute a fully negotiated non-disclosure agreement, as Leidos takes all appropriate steps to ensure that our proprietary information is not released to anyone without there being full restriction on its use and potential redisclosure. All proprietary information released by Leidos to the government is appropriately marked as proprietary or with cautionary statements regarding the use of such information.
7. The information in Exhibit 3 is not currently available to the public in any substantially similar form. Leidos takes all commercially necessary steps to prevent the information in Exhibit 3 from being disclosed to the public as well as to its subcontractors and joint ventures.
8. Leidos requests that Exhibit 3 be kept confidential indefinitely. Such a time period is justifiable in light of the substantial and continuing competitive concerns inherent in the defense contracting industry that are discussed above in Item 4. As additional rationale for the confidentiality of the information, due to the sensitive nature of the information and the potential for its use in military applications, Leidos requests that the information be kept confidential for an indefinite period.
9. As explained in detail at Exhibit 3, grant of the Application is necessary for Leidos to implement its responsibilities to develop a system that is a critical part of the manufacture and delivery of such systems to the Armed Forces in support of national defense and war efforts. Given the substantial public policy reasons provided by Leidos in support of maintaining the confidentiality of Exhibit 3, and the lack of any compelling reason to make the Exhibit 3 available to the public,

Leidos hereby respectfully requests that Exhibit 3 be withheld from public disclosure pursuant to 47 C.F.R. §0.459.

Pursuant to 47 C.F.R. §0.459 (e), Leidos hereby reserves the right – in the unlikely event that the instant Confidentiality Request is denied by the Commission – to withdraw Exhibit 3 in its entirety prior to Exhibit 3 being placed in the Commission's public files.