

CONFIDENTIALITY REQUEST

**Request for Special Temporary Authority
ShawnTech Communications, Inc.**

FILE No. 0034-EX-PL-2011

Enclosure(s) submitted that are also subject to Confidentiality Request:

- 1) Detailed testing plans**
- 2) Carrier consent letters**
- 3) Testing updates and calibration results**

By the above-referenced STA Request ("Application"), ShawnTech Communications, Inc. ("ShawnTech") requests that the Commission grant to ShawnTech Special Temporary Authority ("STA") to operate the facilities (the "Facilities") specified in the instant STA Request.

Pursuant to 47 C.F.R. §0.459, confidential treatment of the information contained in Exhibit 3 to the instant Application ("Exhibit 3") is requested.

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

1. Confidential treatment is requested for the entirety of the information contained in ShawnTech's Exhibit 3 and the expedite request. For the sake of clarity, this is to confirm that confidentiality is requested for Exhibit 3 and the expedite request. The technical data present in the Form itself, as well as the information contained in Exhibit 1, 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 ShawnTech under File No. **????-EX-2011**.
3. As an initial matter, certain of the information contained at Exhibit 3 contains International Traffic in Arms (ITAR) regulated information. With respect to that information, public disclosure of such information is prohibited and exempt from release.

In addition, the information contained in Exhibit 3 and the expedite request constitutes confidential, proprietary commercial information concerning the services and operations and business plans of ShawnTech. Disclosure of such information would cause irreparable injury and substantial harm to ShawnTech's 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 and the expedite request is an integral part of the design and engineering; process associated with ShawnTech's implementation of the research program 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 invention and technology is critical to safety in and around the correctional institution environment. As ShawnTech 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 edge. The industry is a most competitive one, and the inadvertent release of any proprietary information would have a severe negative impact on ShawnTech's position in the marketplace. In addition, as specified above, certain of the information contained at Exhibit 3 contains ITAR-regulated information, which is otherwise exempt from public disclosure.
5. ShawnTech's competitive position could be particularly negatively affected by a disclosure of confidential information to the public, which, of course, includes ShawnTech's larger competitors. Due to ShawnTech's relative size and power in the marketplace, disclosure of the information in Exhibit 3 and the expedite request would cause irreparable injury and substantial harm to ShawnTech's ongoing business operations and competitive position. At the core of ShawnTech's operations is its development of proprietary information, which it uses as the basis to obtain a competitive edge over other companies in this industry. Improper disclosure of proprietary information and the release of such disclosure could have an extremely negative impact on the ability of ShawnTech and its operations. Because certain proprietary information developed by ShawnTech is used as the basis for development of systems and functions used in law enforcement and public safety, confidentiality of our proprietary information must be the company's priority.
6. The information in Exhibit 3 and the expedite request, when combined with the information in the Form itself, is not currently available to the public in any substantially similar form. ShawnTech takes all commercially necessary steps to prevent this information from being disclosed to the public. ShawnTech requires, prior to the release of any of its proprietary information, that any such receiving party execute a fully negotiated non-disclosure agreement, as ShawnTech takes all appropriate steps to ensure that its proprietary information is not released to anyone without their being full restriction on its use and potential redisclosure. All proprietary information released by ShawnTech, whether it is to a competitor or to a law enforcement agency, is appropriately marked as proprietary prior to delivery, along with cautionary statements regarding the use of such information.
7. The information in Exhibit 3 and the expedite request is not currently available to the public in any substantially similar form. ShawnTech takes all commercially necessary steps to prevent the information in Exhibit 3 and the expedite request from being disclosed to the public. As mentioned above, only those person or entities such as subcontractors, joint ventures and local government/public safety entities are privy to the company's proprietary information, and only after any such party has executed a non-disclosure agreement.
8. ShawnTech requests that Exhibit 3 and the expedite request be kept confidential indefinitely. Such a time period is justifiable in light of the substantial and continuing competitive concerns inherent in the correctional communications 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 law enforcement/public safety applications, ShawnTech requests that the information be kept confidential for an indefinite period.

Given the substantial public policy reasons provided by ShawnTech in support of maintaining the confidentiality of Exhibit 3 and the expedite request, and the lack of any compelling reason to make the Exhibit available to the public, ShawnTech 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), ShawnTech hereby reserves the right- in the unlikely event that the instant Confidentiality Request is denied by the Commission – to withdraw Exhibit 3 and the expedite request in its entirety prior to it being placed in the Commission's public files.