

REQUEST FOR STA

By the instant request, 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. A Start Date of September 17, 2010 is respectfully requested, for a limited duration – until December 31, 2010.

As a general matter, ShawnTech is one of the leading resources for communications systems and services for the US corrections market. **The details of the particular experiment subject to this STA Request, and the equipment involved in the experiment, are proprietary in nature and subject to the Request for Confidentiality submitted simultaneously herewith as Exhibit 2.**

The STA is intended to help ShawnTech demonstrate the feasibility of this proprietary technology in a “real-world” environment. Such feasibility testing is anticipated to be completed by no later than 12/31/21010. Accordingly, grant of STA is appropriate under the rules and policies of the Commission.

As referenced more specifically at Confidential Exhibit 3, ShawnTech has already obtained the consent of an existing licensee in the area of the requested experiment, for ShawnTech’s operation of the experiment on that carrier’s licensed frequencies. ShawnTech is continuing to pursue consent from the other commercial licensees in the area of the experiment, and will continue to pursue such consent prior to September 17, and thereafter. In order to obtain expedited processing and grant by September 17, 2010, ShawnTech is agreeable to the imposition of a Special Condition by the Commission which states that, unless the Commission otherwise consents, ShawnTech’s operation under the granted STA is limited only to those frequencies for which consent has been obtained from co-channel commercial licensees in the area of the experiment.

ShawnTech hereby advises that Dan DeCerbo Jr. will be available by wireless telephone at (937) 361-7461 and will act as a “stop buzzer” if any issues regarding interference arise during testing

CONFIDENTIALITY REQUEST

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

FILE NO. 0448-EX-ST-2010

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. 0448-EX-ST-2010.
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 venturers 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.

Confidential

NOT FOR PUBLIC DISCLOSURE

SUBJECT TO CONFIDENTIALITY REQUEST (SUBMITTED AS EXHIBIT 2)

September 15, 2010

FILED ELECTRONICALLY

Mr. James Burtle, Chief
Experimental Licensing Branch
Office of Engineering and Technology
Federal Communications Commission
Washington, DC. 20554

**Re: Request for Expedited Processing and Grant by September 17, 2010
ShawnTech Communications, Inc.
Request For Special Temporary Authority - File No. 0448-EX-ST-2010**

Dear Mr. Burtle:

On behalf of ShawnTech Communications, Inc. ("ShawnTech"), this letter is to request expedited processing of the above-referenced application ("STA Request"), to permit ShawnTech to commence operation of the requested facilities by September 17, 2010.

As a general matter, ShawnTech is one of the leading resources for communications systems and services for the US corrections market. The STA is intended to help ShawnTech demonstrate the feasibility of its proprietary technology in a "real-world" environment.

The details of the particular experiment, and the equipment involved in the experiment, are contained in Confidential Exhibit 3 and are hereby incorporated herein by reference

In support of this request for expedited processing and grant, the following is offered:

Shawntech previously submitted a Request for STA for this experiment under File No. 0361-EX-ST-2009. That prior STA was recently dismissed by the Commission without prejudice in light of the fact that the time period for operation specified in the prior request had expired (See Ref. No. 11745). The lapse in time had occurred because Shawntech was gathering carrier consent to the experiment and a detailed testing plan, all of which has now been obtained. Now that the requisite supporting documentation has been assembled, the instant STA Request under File No. 0448-EX-ST-2010 has been prepared and filed with the Commission as expeditiously as possible.

The State of South Carolina Department of Correction has made all of the required arrangements to support testing between September 17-December 31, 2010. The test equipment is currently installed in a passive data collection mode. Each day, the system risks discovery by the inmates at the facility. Discovery of the system by inmates will jeopardize the entire test, as inmates will

voluntarily terminate use of illegal mobile devices until the system is removed. In addition, South Carolina Governor Mark Sanford has required that all carriers support this testing prior to October 1, 2010. Sprint/Nextel and other carriers have made plans to support the tests with planning and staff resources based on a commencement date of September 17, 2010. Accordingly, grant by that date is critical.

As a general matter, as the Commission is aware and has confirmed as recently as this week, "the use of cell phones by prisoners to carry out criminal enterprises is a significant problem and demands effective and prompt remedies."¹ Shawntech's proposed experiment will provide near-term data and feasibility study to this urgent problem within a matter of days, if authorized to commence in the timeframe requested. In addition to being responsive to Commission policy priorities, a number of other State correctional departments await the results of these tests, to ensure that they have available to them the best options for implementation of a solution to this problem. In this regard, it is Shawntech's understanding that there are 6 states currently with pending RFP's or RFI's which request solutions to controlling mobile phone use in prisons. In light of the fact that Shawntech has presented a detailed test plan with all relevant supporting documentation, and in light of the pressing public policy concerns this test will address on an immediate basis, grant of the STA Request with a September 17, 2010 Start Date is respectfully requested.

In addition, as referenced more specifically at Confidential Exhibit 3, ShawnTech has already obtained the consent of an existing licensee in the area of the requested experiment, for ShawnTech's operation of the experiment on that carrier's licensed frequencies. ShawnTech is continuing to pursue consent from the other commercial licensees in the area of the experiment, and will continue to pursue such consent prior to September 17, and thereafter. In order to obtain expedited processing and grant by September 17, 2010, ShawnTech is agreeable to the imposition of a Special Condition by the Commission which states that, unless the Commission otherwise consents, ShawnTech's operation under the granted STA is limited only to those frequencies for which consent has been obtained from co-channel commercial licensees in the area of the experiment.

Accordingly, although ShawnTech is aware of the general need to resolve its frequency assignment requirements without seeking expedited consideration, it is respectfully submitted that in this case it is necessary for the above-referenced STA Request to be processed expeditiously to permit grant by no later than September 17, 2010.

Should any questions arise with respect to the instant STA Request, please do not hesitate to contact undersigned.

Sincerely,



Dan DeCerbo Jr.
Director of IT and General Services
ShawnTech Communications, Inc.

¹ Public Notice, "Public Safety And Homeland Security Bureau To Hold Workshop/Webinar On Contraband Cell Phone Use In Prisons", September 13, 2010.