

June 14, 2010

ELECTRONIC FILING

James Burtle
Experimental Licensing Branch
Office of Engineering and Technology
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Commlabs, Inc. Request for Confidential Treatment; Application for Experimental Authorization ELS File No. 0268-EX-PL-2010

Dear Mr. Burtle:

Commlabs, Inc. (“Commlabs”), through its attorneys, hereby requests that the included exhibits to its experimental application for authorization be given confidential treatment and withheld from public inspection pursuant to Section 0.459 of the Commission’s Rules, 47 C.F.R. § 0.459.

Pursuant to the Freedom of Information Act (“FOIA”), public disclosure is not required for “trade secrets, commercial or financial information obtained from a person and privileged and confidential.”¹ The commercial information contained herein falls squarely within this exemption from public disclosure.

Pursuant to Section 0.459(b) of the Commission’s Rules, 47 C.F.R. § 0.459(b), the following information is provided in support of the request for confidential treatment. The information for which confidential treatment is sought is a description of Commlab’s specific efforts to develop and test wireless location technology, filed as an attachment to the Commlabs’ experimental application, ELS File No. 0268-EX-PL-2010.² This information is proprietary trade secrets and commercial information of Commlabs.³ The market for development of wireless location technologies is a very competitive one.⁴

¹ 5 U.S.C. § 552(b)(4); *see also* 47 C.F.R. § 0.457(d).

² *See* 47 C.F.R. § 0.459(b)(1), (2).

³ *See* 47 C.F.R. § 0.459(b)(3).

⁴ *See* 47 C.F.R. § 0.459(b)(4).

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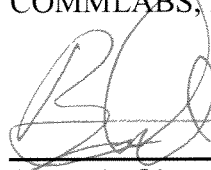
Due to the competitive environment for such services, release of this information could harm Commlabs.⁵ This is especially true due to the fact that equipment has not yet been developed to provide cost effective and reliable terrestrial-based wireless location monitoring services and competing efforts are ongoing to develop and deploy such equipment.

It is customary for companies such as Commlabs not to disclose the details of its technologies and methods. The commercial information contained in the exhibit has been strictly controlled by Commlabs, with distribution limited to internal use only and to other parties (pursuant to appropriate non-disclosure agreements) only for the specific purpose of conducting research, development, and testing of the technology.⁶ Commlabs has not disclosed this commercial information to the public and disclosure to any other party has been only as described herein.⁷ Commlabs requests that the subject information not be made routinely available for public inspection at any time.⁸ The competitive technical and commercial information contained in the exhibit would benefit Commlabs' competitors and harm Commlabs if it is released for public inspection at any time.

Finally, the public interest will be served by the granting of this request for confidential treatment. It is in the public interest that equipment and technologies be developed to provide wireless location monitoring services to facilitate competition in the provision of such services.⁹

Sincerely,

COMMLABS, INC.



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Its Attorneys

⁵ See 47 C.F.R. § 0.459(b)(5).

⁶ See 47 C.F.R. § 0.459(b)(6).

⁷ See 47 C.F.R. § 0.459(b)(7).

⁸ See 47 C.F.R. § 0.459(b)(8).

⁹ See 47 C.F.R. § 0.459(b)(9).