

**REQUEST FOR WITHHOLDING INFORMATION
FROM ROUTINE PUBLIC DISCLOSURE**
File No. 0631-EX-ST-2012

Intel Corporation (“Intel”) requests pursuant to Section 0.459 of the Commission’s Rules that certain materials included within the above-referenced application for special temporary authority be withheld from routine public disclosure. In support of that request, Intel provides the following information:

Identification of materials to be withheld from routine public disclosure (§0.459(b)(1)): Intel requests that all of the information contained in Attachment 1 to the application be withheld from routine public disclosure. Intel does not seek to withhold from public inspection any information necessary for interference mitigation, including the applicant name, contact information, locations, frequencies and power levels.

Identification of the Commission proceeding in which the information was submitted (§0.459(b)(2)): The material has been submitted in connection with Intel’s request for special temporary authority assigned File No. 0631-EX-ST-2012.

Explanation of the degree to which the information is commercial or financial, or contains a trade secret, or is privileged (§0.459(b)(3)): The market for the devices that are the subject of the request for special temporary authority is a highly competitive one, with numerous vendors battling for the business of customers. Were Intel’s competitors to become aware of the facts set forth in Attachment 1 to the special temporary authority application at this time, it could have an adverse impact on Intel’s competitive standing and deprive Intel of the marketplace benefit it otherwise will achieve by virtue of having product available before other competitors. This is particularly true with respect to the fact that the prototype devices that will be the subject of this testing include a feature set that is not available from any other source. If any of the information for which confidential treatment is sought were to be made available, Intel’s competitors could determine the scope and status of Intel’s activities.

Explanation of the degree to which the information concerns a service that is subject to competition (§0.459(b)(4)): As discussed above, the market for the devices that are the subject of the request for special temporary authority is a highly competitive one, with numerous vendors battling for the business of customers. The information for which confidential treatment is sought concerns Intel’s private business and operations and “would customarily be guarded from competitors.” See 47 C.F.R. §§ 0.459(a)(4), 0.457(d)(2).

Explanation of how disclosure of the information could result in substantial competitive harm (§0.459(b)(5)): Disclosure of the information would reveal confidential trade secrets, technical information, and business information. As noted above, were Intel’s competitors to become aware of the facts set forth in the special temporary authority application at this time, it could have an adverse impact on Intel’s competitive standing and deprive Intel of the marketplace benefit it otherwise will achieve by virtue of having product available before other competitors.

Identification of any measures taken by the submitting party to prevent unauthorized disclosure (§0.459(b)(6)): Intel will not be disclosing to the public that it is on the verge of delivering the covered devices for employee evaluation or that it has sought this special temporary authority. Those employees receiving the devices for testing in their homes will be instructed not to permit usage by non-family members and to instruct family members of the need to maintain confidentiality regarding the nature and source of the device. The prototype devices will have no highly-visible logos or other marks identifying them as Intel devices.

Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties (§0.459(b)(7)): Intel has not made the information subject to this request available to the public and does not routinely disclose such commercially sensitive information to the public or to third parties, and has established procedures to protect such information internally. Some of the details regarding the prototype devices that are the subject of the application have been disclosed to a very select group of potential partners, but in all cases pursuant to non-disclosure agreements. There has been no prior disclosure that Intel is seeking this special temporary authority or is on the verge of delivering prototype devices to employees for testing. Intel voluntarily provides the information at this time with the expectation that it will be treated confidentially in accordance with the Commission's rules. *See Critical Mass Energy Project v. Nuclear Regulatory Comm'n*, 975 F.2d 871, 879 (D.C. Cir. 1992) (commercial information provided on a voluntary basis "is 'confidential' for the purpose of Exemption 4 if it is of a kind that would customarily not be released to the public by the person from whom it was obtained.").

Justification of the period during which the submitting party asserts that material should not be available for public disclosure (§0.459(b)(8)): Given the competitive nature of the marketplace, any disclosure that Intel is about to enter the particular marketplace referenced in Attachment 1 would harm Intel's competitive position. Intel requests that the information be held confidential during the period for which special temporary authority for experimental operations is requested, and thereafter until such information no longer is deemed confidential and proprietary by Intel and no longer subject to Intel's internal procedures for maintaining its confidentiality.

Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted (§0.459(b)(9)): The information for which confidential treatment is requested falls within Exemption 4 of the Freedom of Information Act ("FOIA"), which provides a statutory basis for withholding from public inspection "matters that are trade secrets and commercial or financial information obtained from a person and privileged or confidential." 5 U.S.C. § 552(b)(4).

Consistent with 47 C.F.R. § 0.459(d)(1), Intel requests notification if release of the information subject to this request is requested pursuant to the FOIA or otherwise, so that Intel may have an opportunity to oppose grant of any such request.