

Lockheed Martin Corporation
1550 Crystal Drive
Arlington, VA 22202
Telephone 703-413-5600

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November 16, 2004

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St. NW
Washington DC 20554

Re: **[File Number] Request for Confidential Treatment of Material Filed.**
Filed Electronically

Dear Ms. Dortch:

Lockheed Martin Corporation (“Lockheed Martin”), hereby requests that the document entitled “Description of Experiment” be held in confidence and not made available for public inspection pursuant to Section 0.459 of the Commission’s Rules. Lockheed Martin filed an application for an experimental radio license to transmit in the 4.94-4.99 GHz band. Confidential treatment of this document is appropriate under Exemption 4 of the Freedom of Information Act (“FOIA”), which applies to information constituting “trade secrets, and commercial or financial information” that “would not customarily be released to the public.”

In support of this request, Lockheed Martin provides the following information, as required under Section 0.459(b) of the Commission’s Rules:

1. Identification of the specific information for which confidential treatment is sought.
 - Document entitled “Description of Experiment.”
2. Identification of the Commission proceeding in which the information was submitted.
 - OET Experimental License Application File XXXX-EX-PL-2004.
3. Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged.
 - In 2003, the Commission allocated spectrum at 4.9 GHz for public safety use. Lockheed Martin is one of several companies responding to Request for Proposals from state and local public safety entities interested in deploying broadband systems in the 4.9 GHz band. Particularly, Lockheed Martin has responded to a request for proposal by the City

of New York to provide a mobile wireless network consisting of wireless broadband (high speed data and video) capability; wireless automatic vehicle location; wireless call boxes; and wireless traffic signal control for public safety organizations. As a result, information about Lockheed Martin's experimental activities would disclose the nature of Lockheed Martin's system solutions to its competitors, potentially distorting the competitive marketplace.

4. Explanation of the degree to which the information concerns a service that is subject to competition.

- Based on the experimental license applications on file at the FCC, Lockheed Martin anticipates that several manufacturers and system integrators are interested in producing equipment and developing systems to serve public safety licensees in the 4.9 GHz band.

5. Explanation for how disclosure of the information could result in substantial competitive harm.

- The document contains information about a system concept that is currently being evaluated for public safety development and implementation. If competitors were to have access to the information contained in this document, they would have competitive insight into Lockheed Martin's response to the City of New York's Request For Proposal and would be able to use this knowledge to their competitive advantage. Thus, access to the information could result in substantial competitive harm to Lockheed Martin's ability to bring an integrated communications solution in the 4.9 GHz band to market.

6. Identification of any measures taken by the submitting party to prevent unauthorized disclosure.

- Contractors, suppliers or partners of Lockheed Martin, have a responsibility to safeguard information in accordance with Lockheed Martin security requirements. Every individual with access to Lockheed Martin proprietary information must follow relevant information protection requirements, maintain the integrity of Lockheed Martin resources, and protect them from unauthorized access. Access to Lockheed Martin proprietary information resources is granted only to authorized individuals and is restricted to only what is required based on citizenship, job function, need-to-know, employment status, and management approval. Specifically, Lockheed Martin submitted a sealed proposal to New York City in response to a Request for Proposal and considers this submission and information describing such proposal to be proprietary information.

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7. Identification of whether the information is available to the public and the extent of any previous disclosure of information to third parties.

- Information about sealed responses to proposals is not routinely provided to the public, and is not available on Lockheed Martin's website. No information about this particular integration concept has been disclosed outside of the company, except to New York City officials responsible for reviewing Lockheed Martin's proposal submission.

8. Justification of the period during which the submitting party asserts that material should not be available for public disclosure.

- Lockheed Martin requests that the above-identified material not be disclosed for 2 years. This period should provide sufficient time for Lockheed Martin to properly evaluate and demonstrate its concept.

9. Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted.

- Not applicable.

Sincerely,