

Request for Confidential Handling

FCC Form 442 – Application for New or Modified Radio Station Under Part 5 of FCC Rules

Experimental Radio Service

File No.: 0789-EX-CN-2019

Submitted By:

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15 October 2019

To Whom It May Concern:

MainStem LLC requests to keep confidential certain technical information provided to the FCC in support of its application for a Conventional Experimental license (File No. 0789-EX-CN-2019). In accordance with the rules set in CFR 47, Part 0.459(b), this letter lays out the justification for this confidentiality request according to 9 required criteria, enumerated in the following sections.

(1) Identification of the specific information for which confidential treatment is sought;

MainStem LLC requests that detailed waveform and signal structure data be kept confidential. This includes specification of waveform modulation and filtering, DSSS spreading, modulation/chipping rates, bit rates, and transmission operations, including power levels, burst frequency and duration.

(2) Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission;

MainStem LLC provided confidential information in an Attachment ("Contract and Technical Detail") to its application for a Conventional Experiment License, File No.:0789-EX-CN-2019.

(3) Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged;

The information for which we are requesting confidentiality contains both trade secrets and is privileged. MainStem's contract with the Government is a risk reduction development effort, the results of which will result in a new technology and capability for which MainStem desires to maintain a clear competitive advantage. Additionally, our Government customer has underscored the sensitivity of this effort from a National Security point of view. While certain elements of the present contract are classified appropriately, unclassified technical details are nonetheless sensitive in nature and, if widely released, threaten the effectiveness of the solution / capabilities sought by the US Government.

(4) Explanation of the degree to which the information concerns a service that is subject to competition;

MainStem's Government contract provides the Government with the data rights necessary to make the results of the effort available for and subject to future Government business competitions. The confidential technical details pertaining to this effort are not intended to be the subject of a commercial service in a competitive commercial marketplace.

(5) Explanation of how disclosure of the information could result in substantial competitive harm;

Disclosure of this information could provide individuals or entities an unequal advantage when competing for future Government work relating to the present MainStem contract. It is MainStem's intent to respect the Government customer wishes to keep this information confidential, acknowledging its sensitive nature, and allowing the customer full flexibility to dictate the bounds and rules of future competitive business opportunities.

(6) Identification of any measures taken by the submitting party to prevent unauthorized disclosure;

MainStem takes active precautions to preventing technical details from being released over open or unencrypted communication over the internet. As such, e-mails with technical information or attachments are only transmitted with encryption. General collaboration and communication occurs over internal communication services. Documents and records are stored exclusively on encrypted cloud data stores, and on the encrypted hard-drives of employees.

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

Neither MainStem, its partners (i.e. entities with which MainStem has a subcontract specifically related to the present US Government prime contract), nor its Government customer have made any of the technical details, for which we are seeking confidentiality, the subject of public releases or disclosures.

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

The present Government contract with MainStem LLC is the first phase of multiple potential future development phases that could progress over the next 2-5 years. Should those forthcoming phases of development be realized, technical details contained in these documents could be valuable to adversaries as these resulting capabilities are deployed. For this reason, MainStem requests confidentially for a period of at least 5 -10 years, during which the first generation of capabilities would be deployed and utilized by the Government customer and end users.

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

Clarification or further explanation of the sensitive nature of these technical details can be provided by the Government customer whose contact information has been provided in the initial license application.