

MDS America's Request For Confidentiality.

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

Answer: MDSA requests that the documents labeled 'Indoor SSPA specs' and 'Modulator specs' and the reply to the Commission correspondence dated January 24, 2006, be held confidential.

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

Answer: MDSA is filing for an experimental license whereby an independent firm will evaluate the performance of our system at elevated power levels with the goal of releasing these results to the public upon completion.

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

Answer: Engineering and design characteristics of our system are classified as trade secrets and should remain confidential.

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

Answer: MDSA has invested substantial resources to create a technologically advanced product that is specifically designed to operate within the MVDDS space. MDSA welcomes competition but believes that divulging our trade secrets might unduly position our competition with an unfair advantage.

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

Answer: The disclosure of our Engineering and Design information might give our competitors an undue advantage in recreating a system that took many years and countless resources to develop.

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

Answer: MDSA requires the use of nondisclosure agreements between us and our vendors, employees, manufacturers, and clients

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

Answer: This information is currently not available to the public or to any third party.

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

Answer: MDSA believes this period should be at our discretion. We believe should this information become public it will adversely effect MDSA's ability to maintain our role as the leading MVDDS turnkey provider. MDSA's investment of time and money has positioned us as the leading provider of turnkey solutions and as the premier developer of the MVDDS technology.

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

Answer: We feel that given the circumstances it would be unfair to disclose this Engineering and Design information, as they are considered trade secrets to MDSA . Furthermore this disclosure might prove detrimental to the future development of the MVDDS technology of which MDSA has been largely responsible.