



To: Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Subject: Experimental License Confidentiality Request

Date: 8 December 2004

Gentlemen,

An experimental license is being sought for the development of a consumer data communications system. In order to implement the best possible data communications network, MetroFi has approached well respected companies in the field of 802.11 wireless communications. MetroFi's intent is to deploy radios from each of the potential vendors in order to evaluate the performance of the radio equipment from each vendor.

MetroFi wishes the names of these potential vendors to be withheld from public disclosure. The justification for this follows.

If additional information / clarification is required, please do not hesitate to contact me.
Regards,

A handwritten signature in black ink, appearing to read 'David Waitt'.

David Waitt
Consultant Representing MetroFi
david@waitt.us

With respect to FCC CFR Part 0.459, MetroFi offers the following:

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

The company names and any other pertinent information (addresses, telephone numbers) that may be provided to the Commission during the course of the Experimental License / STA process of the three vendors who's radio will be evaluated during this experiment.

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

Exp Lic Application:

Confirmation Number: EL469388

File Number: 0296-EX-PL-2004

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

The names of the MetroFi vendors that are being evaluated during this experiment is considered privileged information to MetroFi

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

The names of the companies who MetroFi has approached would be valuable to potential competitors of MetroFi in that if the names were made public, those seeking to compete with MetroFi could approach the same vendors looking for similar equipment.

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

Those companies involved in the design of the radios could benefit from knowing who the competition is. For example, Company A may be aware of typical characteristics of equipment from Company B and be able to exploit it in some manner.

If this were to happen, it is possible that this would result in radio equipment not best designed for the task of providing reliable data communications, but rather equipment designed to "beat" a particular competitor.

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

The names of the competing companies were not disclosed to the companies themselves. Employees have been told to treat the names of the companies as confidential. All consultants working on the project for MetroFi have signed Non Disclosure

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

The names of the competing companies have not been disclosed to the public.

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

The evaluation of the data communications network will be taking place for the duration of this STA. Experimentation will continue to be covered by the above referenced Experimental license. Thus, the names of the competing vendors should be held confidential for the duration of this STA.

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

None at this time.