

From: Thomas Bell
To: John Kennedy
Date: February 25, 2006
Subject:
FCC File # 0206-EX-PL-2005

Message:

RE: FCC File # 0206-EX-PL-2005 [Reference Number: 4177]

(1) Identification of the specific information for which confidential treatment is sought;
Exhibit - Program Narrative

(2) Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission;
Request for an FCC Experimental License – Form 442

(3) Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged;
The Information describes concepts, some of which it is believed will provide a competitive advantage over current technology.

(4) Explanation of the degree to which the information concerns a service that is subject to competition;
The Information is relevant to the possible development of a commercial device that is innovative and unique.

(5) Explanation of how disclosure of the information could result in substantial competitive harm;
Current disclosure could jeopardize the validity of the corresponding patent process by introducing the proposed concepts into the public domain.

(6) Identification of any measures taken by the submitting party to prevent unauthorized disclosure;
Submitting party has taken strident measures to restrict disclosure and maintain confidentiality including disclosure only to primary parties and under non-disclosure agreements.

(7) Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties;
To the best knowledge of the submitting party, the information has not been made available to the public.

(8) Justification of the period during which the submitting party asserts that material should not be available for public disclosure; and
As we are reliant upon data that will be obtained during the testing period of the experimental license we would look to the period of the experimental license; 24 months, and additional 12 months for a total of 36 months.

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