

January 30, 2009

ELECTRONIC FILING

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Raysat Antenna Systems, LLC Request for Confidential Treatment; Application for
Experimental Special Temporary Authority (ELS File Number 0033-EX-ST-2009)**

Dear Ms. Dortch:

Raysat Antenna Systems, LLC (“RAS”), through its attorneys, hereby requests that the “Government Contract Details” and operational information associated with its request for expedited treatment be given confidential treatment and withheld from public inspection pursuant to Section 0.459 of the Commission’s Rules, 47 C.F.R. § 0.459.

Pursuant to the Freedom of Information Act (“FOIA”), public disclosure is not required for “trade secrets, commercial or financial information obtained from a person and privileged and confidential.”¹ The commercial information contained herein falls squarely within this exemption from public disclosure.

Pursuant to Section 0.459(b) of the Commission’s Rules, 47 C.F.R. § 0.459(b), the following information is provided in support of the request for confidential treatment. The information for which confidential treatment is sought is details regarding the U.S. Government contract requiring RAS terminals to communicate with the Intelsat Galaxy-25 satellite on an expedited basis.² It is filed with reference to RAS’s request for Special Temporary Authority (File No. 0033-EX-ST-2009).³ RAS understands that U.S. Government and military personnel believe that this information should be treated

¹ 5 U.S.C. § 552(b)(4); *see also* 47 C.F.R. § 0.457(d).

² *See* 47 C.F.R. § 0.459(b)(1)

³ *See* 47 C.F.R. § 0.459(b)(2).

as privileged and confidential.⁴ The market for such government contracts is a highly competitive niche market,⁵ and release of this information could harm RAS by revealing specific contract details and by failing to respect the request for confidentiality from RAS's ultimate customer.⁶

RAS has protected and will continue to protect this information as proprietary. These contract details have only been divulged within RAS to personnel with a direct need to know, and have not been disclosed to outside consultants unless privilege attaches and confidentiality is agreed.⁷ RAS has not disclosed information regarding this contract to third parties and understands that these details are not publicly available.⁸ RAS requests that the subject information not be made routinely available for public inspection at any time.⁹ In addition, this request for confidentiality should be granted to protect the confidentiality of the mobile communications capability of the U.S. military.¹⁰

Finally, the public interest will be served by the granting of this request for confidential treatment. It is in the public interest that licensees providing services pursuant to government contracts have the ability to keep the details of such contracts confidential and respect the requests for confidentiality of their government customers. If the Commission denies this request for confidential treatment, RAS withdraws the attached information.

Sincerely,

RAYSAT ANTENNA SYSTEMS, LLC

/s/ Carlos M. Nalda

Carlos M. Nalda

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Its Attorneys

Attachment

⁴ See 47 C.F.R. § 0.459(b)(3).

⁵ See 47 C.F.R. § 0.459(b)(4).

⁶ See 47 C.F.R. § 0.459(b)(5).

⁷ See 47 C.F.R. § 0.459(b)(6).

⁸ See 47 C.F.R. § 0.459(b)(7).

⁹ See 47 C.F.R. § 0.459(b)(8).

¹⁰ See 47 C.F.R. § 0.459(b)(9).