



LEGAL
COUNSEL
WORLDWIDE

SQUIRE, SANDERS & DEMPSEY (US) LLP

Suite 500
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004

Office: +1.202.626.6600
Fax: +1.202.626.6780

Direct Dial: +1.202.626.6659
carlos.nalda@ssd.com

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BY 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 Authority**

Dear Ms. Dortch:

Raysat Antenna Systems, LLC (“Raysat”), through its attorneys, hereby requests that its application for experimental authority, specifically including the electronic application form and narrative attachment, 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 technical information and a description of demonstration and testing of earth station communication components manufactured by Raysat to meet a government contract purchase order included on an application form for experimental license and in an accompanying attachment.² Raysat received specific requests from U.S. Government and military personnel that this information be treated as privileged and confidential.³ The market for such government contracts is a highly competitive niche market.⁴ Release of this information could harm Raysat by revealing the prime

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), (2).

³ *See* 47 C.F.R. § 0.459(b)(3).

⁴ *See* 47 C.F.R. § 0.459(b)(4).

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contractor or details of the purchase order, which could affect existing and potential government contract procurements and would fail to respect the request for confidentiality from the government contractor.⁵ Not all of the programs under the government contract have been publicly announced and current program contacts may not be publicly known.

Raysat has protected and will continue to protect this information as proprietary. This purchase order and government contract information has only been divulged within Raysat to personnel with a direct need to know, and it has not been disclosed to outside consultants unless privilege attaches and confidentially is agreed.⁶ Raysat has not disclosed information regarding the purchase order to third parties and understands that these contacts are not publicly available.⁷ The Commission treated as confidential Raysat's previous application for special temporary authority for the same technical information and description of demonstration and testing of earth station communication components pursuant to the same government contract.⁸ Raysat requests that the subject information not be made routinely available for public inspection at any time.⁹

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 specific procurements confidential and respect the requests for confidentiality of their government customers.¹⁰ In this case, public release of the information contained in the application and narrative attachment would jeopardize national security concerns related to U.S. military deployments. If the Commission denies this request for confidential treatment, Raysat withdraws the application.

Please contact the undersigned if you have any questions.

Sincerely,

RAYSAT ANTENNA SYSTEMS, LLC

/s/ Carlos M. Nalda

Carlos M. Nalda
Joshua T. Guyan
Squire, Sanders & Dempsey (US) LLP
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

⁵ See 47 C.F.R. § 0.459(b)(5).

⁶ See 47 C.F.R. § 0.459(b)(6).

⁷ See 47 C.F.R. § 0.459(b)(7).

⁸ See ELS File No. 0580-EX-ST-2010.

⁹ See 47 C.F.R. § 0.459(b)(8).

¹⁰ See 47 C.F.R. § 0.459(b)(9).