

Date: January 4, 2021
Subject: Progress Report
Call Sign: WK2XQB
File Number: 0829-EX-CN-2019

Pursuant to 5 U.S.C. § 552 and Sections 0.457, 0.459 and 5.73 of the rules of the Federal Communications Commission (“Commission”), Walt Disney Parks and Resorts U.S., Inc. (“WDPR”) hereby requests that certain information contained in the above-referenced progress report be treated as confidential and not subject to public inspection. The designated information constitutes confidential and proprietary information that, if subject to public disclosure, would cause significant commercial, economic, and competitive harm to WDPR. As described below, WDPR’s request satisfies the standards for grant of such requests set forth in Sections 0.457 and 0.459 of the Commission’s rules, 47 C.F.R. §§ 0.457, 0.459.

In accordance with Section 0.459(b), 47 C.F.R. § 0.459(b), and in support of this request, WDPR provides the following information:

1. Identification of the information for which confidential treatment is sought.

Pursuant to 47 C.F.R. § 5.73, which provides that “[a]n applicant may request that the Commission withhold from the public certain reports and associated material,” WDPR requests confidential treatment of the attached progress report in its entirety (the “Progress Report”).

2. Identification of the circumstance giving rise to the submission.

Pursuant to conditions of experimental license WK2XQB, WDPR is submitting a report on the progress of the experimental program being conducted thereunder.

3. Explanation of the degree to which the information is commercial or financial or contains a trade secret or is privileged.

The information for which confidential treatment is requested has significant commercial and strategic value to WDPR. The Progress Report discusses tests and experiments that include trade secret information. WDPR’s tests and experiments and proprietary wireless applications using particular radio frequency equipment and shared spectrum technology represent a “secret commercially valuable plan” within the meaning of a trade secret as recognized by the Commission, and thus justifies withholding such information from public inspection.

4. Explanation of the degree to which the information concerns a service that is competitive.

WDPR is testing potential wireless operations in the 4.9 GHz band. The services and technologies that are the subject of the experimentation under the experimental license have not been fully developed, but are expected to lead to material developments in markets subject to fierce competition.

5. Explanation of how disclosure of the information could result in substantial competitive harm.

The technology under test is very sensitive and confidential in nature. Disclosure of the information for which confidential treatment is requested information could cause substantial competitive

harm to WDPR because it would provide competitors insight into confidential development, operational, and strategic information that would not otherwise be available in the public domain or made available to third parties.

6. Identification of any measures taken by the requesting party to prevent unauthorized disclosure.

WDPR routinely treats the information for which confidential treatment is requested as highly confidential and exercises significant care to ensure that such information is not disclosed to its competitors or the public.

7. Identification of whether the information is available to the public and the extent of any previous disclosures of the information to any third parties.

The information contained in the Progress Report is not available to the public and has not been previously disclosed to third parties.

8. Justification of the requested period of confidentiality.

WDPR requests that the Progress Report be treated as confidential on an indefinite basis as it cannot identify a date certain on which this information could be disclosed without causing competitive harm to WDPR.