

Equipment Authorization Division  
**Federal Communications Commission**

Request for Permanent Confidential Treatment of Exhibits to Application for Equipment Authorization for the **FME Transponder**, proposed FCC ID JQU801800B

On behalf of Kapsch TrafficCom Canada Inc. ("Kapsch"), we request confidential treatment for the following exhibits filed with Kapsch's application for equipment authorization for the model 801800B, proposed FCC ID JQU801800B being filed concurrently:

OPERATION DESCRIPTION

BLOCK DIAGRAM

VOLTAGES, CURRENT and TUNE UP

SCHEMATICS and PARTS LISTS

KAPSCH requests that these exhibits be treated as confidential and withheld from public inspection in accordance with Section 0.457(d) (trade secrets) of the Commission's Rules, pursuant to Section 0.459(b) of the Commission's rules.

These exhibits were submitted to the commission in support of KAPSCH's application for equipment authorization and provide the additional detail needed for the Agency's staff to properly evaluate the equipment. KAPSCH's practice to file a request for confidentiality at the time it submits an application for equipment authorization is intended to provide information relevant to the FCC Processing of its application without public disclosure of proprietary information.

These exhibits contain highly confidential and proprietary technical information about the equipment design and operating characteristics and internal construction.

KAPSCH provides the following information in support of its request for confidential treatment:

- (1) These exhibits contain highly confidential and proprietary technical information about the equipment design and operating characteristics and internal construction.
- (2) KAPSCH competes with a number of companies that are developing and marketing similar transponders for ITS applications, including tolling operations.
- (3) Disclosure of such information to competitors could compromise KAPSCH's ability to develop this technology, in that other companies could reverse engineer products using this information;

(4) Disclosure would cause KAPSCH to relinquish valuable proprietary information about the technologies it has developed and its manufacturing processes. Disclosure would also offer competitors additional unwarranted insight into the state of KAPSCH's product development thereby allowing competitors and unfair advantage that would otherwise be unavailable to KAPSCH.

(5) This equipment is designed for commercial, industrial, and governmental transportation applications and is expected to be used for more than a decade in some cases. Moreover, this equipment will be used in revenue collection (i.e. toll collections) where it is important that its design and operational details not be made available to unauthorized persons who might attempt to use knowledge of such details to compromise the applications for which the equipment will be employed.


(6) KAPSCH is careful in protecting proprietary aspects of its equipment design and processes. The information for which confidential treatment is sought has been kept confidential from public disclosure by KAPSCH and has not been made available to third parties except pursuant to non-disclosure agreements. KAPSCH's practice to file a request for confidentiality at the time it submits an application for equipment authorization is intended to provide information relevant to the Industry Canada processing of its application without public disclosure of proprietary information.

Confidential treatment of exhibits, such as these, allows KAPSCH to provide a full technical description of the equipment, which disclosure is in the public interest. Refusal to treat such documents as confidential would result in submission of insufficient information on which the Industry Canada could base its decision to grant authorizations and delay deployment of these new and improved devices for ITS applications.

Sincerely,

Dated this 14 Day of January 2016

By



Alastair Malarky

Title Chief Engineer

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On Behalf Of Kapsch TrafficCom Canada Inc.