

**From:** <mkies@ortel.com>  
**To:** G1.G1 (FCOPERIC)  
**Date:** 6/25/99 10:45am  
**Subject:** Re: fwd: re: FCC ID: LB45800NG -Reply -Reply

Frank:

Per our phone conversation this morning, this letter supersedes the confidentiality letter dated 6/17/99 with the following enclosed within  
"\*\*\*\*\*":

\*\*\*\*\*

June 25, 1999

Federal Communications Commission  
Authorization and Evaluation Division  
7485 Oakland Mills Road  
Columbia, MD 21046

Re: Request for Confidentiality  
Applicant: Ortel Corporation  
Product: 5800NG System (FCC ID LB45800NG)

Pursuant to Sections 0.457 (d) (1) (ii) and 0.459 of the Commission's Rules, the Applicant hereby requests confidential treatment of Product information accompanying as outlined below:

1. Schematics
2. Bill of Materials
3. Semiconductor devices used

The above materials contain trade secrets and proprietary information not customarily released to the public. The public disclosure of these matters might be harmful to the Applicant and provide unjustified benefits to its competitors.

The Applicant understands that pursuant to Rule 0.457 (d) (1) (ii), disclosure of this Application and all accompanying documentation will not be made before the date of the Grant for this Application.

Sincerely,

Martin R. Kies

Quality Engineering Section Head,  
Systems and Products

Phone: (626)-293-3640  
Fax: (626)-281-7913

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If there are any further questions regarding this matter, please phone me  
at 626-293-3640 or mkies@ortel.com

Thank you,

Martin Kies

Mary Washington <mWASHINGTON@tuvps.com> on 06/24/99 04:29:03 PM

Please respond to mWASHINGTON@tuvps.com

To: Martin Kies/Ortel Corporation  
cc: Judy F. Evans <JEVANS@tuvps.com>  
Subject: Re: fwd: re: FCC ID: LB45800NG -Reply -Reply

Martin,  
I do not know why they are requiring this for the operator's manual. I  
suggest

sending another confidentiality letter without the operator's manual  
mentioned; so, that we can close this project.

Mary

----- Original Text -----

From: <mkies@ortel.com>, on 6/24/99 1:40 PM:

The Operating Manual will be delivered / released only to those who  
purchase the repeater.

As far as item 2 goes, it would be impossible at this time to get a signed  
statement from all current or future customers. Why are they requiring  
this? This has not been a requirement in any time in the past.

Let me know if this e-mail addresses all the confidentiality issues or if  
you need anything more.

Thanks,

Martin

Mary Washington <mwashington@tuvps.com> on 06/24/99 11:08:01 AM  
Please respond to mwashington@tuvps.com  
To: Martin Kies/Ortel Corporation  
cc: Judy F. Evans <jevans@tuvps.com>  
Subject: fwd: re: FCC ID: LB45800NG -Reply -Reply

Hi Martin,

Following is a response from FCC on the operating manual to be held confidential. If you have any questions, please contact me. I will be off site testing at the Canyon.

Judy,

FYI.

Mary

----- Original Text -----

From: Frank Coperich <FCOPERIC@fcc.gov>, on 6/24/99 5:26 AM:

To: Mary Washington@EMC@PSSDG

To justify Confidential status we need a statement from Ortel indicating that:

- 1.) The Operating Manual will be delivered / released only to those who purchase the repeater.
- 2.) The party that purchases the repeater agree to control and limit the availability of the Operating Manual and its contents to persons associated with and under supervision of that station licensee.

>>> Mary Washington <mwashington@tuvps.com> 06/23/99 08:03pm >>>

Dear Mr. Coperich,

I was under the impression that the client had done a non-disclosure agreement

to have the operator's manual held confidential. In speaking with the technical writer yesterday, the client only sent another confidentiality letter

to us and not a non-disclosure agreement. Ortel wants to have the operator's

manual held confidential. Therefore, we need to know what the non-disclosure

agreement should contain. Are there guidelines in CFR 47 that would let us know what is contained in the non-disclosure agreement? Or can Ortel make a

statement as to why the operator's manual should be held confidential?

Thanks,

Mary

----- Original Text -----

From: Frank Coperich <FCOPERIC@fcc.gov>, on 6/23/99 12:52 PM:

The Confidentiality request letter still lists "Operating Manual" which we had

previous categorized as routinely available. This issue remains unresolved.

>>> Mary Washington <mwashington@tuvps.com> 06/22/99 04:09pm >>>

Dear Mr. Coperich,

Our technical writer, Judy Evans, submitted the information that Ortel wants to

be held confidential for this project on 6/17. I was writing you to find out if you received this information and to get an update on this project. I checked the FCC OET web site, it indicated that you were waiting on a reply for technical information.

Thanks

Mary

CC: ROUTE\_A.GWIA1("dmorais@ortel.com", "mashington@tuv...