

# Holland & Knight

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## **Request for Confidential Treatment Of Exhibits to Application for Equipment Authorization for VHDD-1000S Radar System FCC ID: NX5VHDD-1000S**

On behalf of Baron Services, Inc. ("Baron"), we request confidential treatment for the following exhibits filed with Baron's application for equipment authorization for the KHDD-1000S/HF Radar System, FCC ID. No. NX5KHDD-1000S/HF.

Baron requests that the following 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, Baron provides the following information in support of its request for confidential treatment:

- (1) Baron requests confidential treatment for the following exhibits: KHDD-1000S/HF Transmitter Technical Characteristics and System Schematic Diagrams; the KHDD-1000S/HF Operations Manual and the Operational Description which includes proposed specifications for Baron's new high frequency S-Band Doppler Weather Radar equipment submitted as exhibits to its application for equipment authorization for the weather radar system, FCC ID No. NX5KHDD-1000S/HF being filed concurrently.
- (2) These exhibits were submitted to the Commission in support of Baron's application for equipment authorization and provide the additional detail needed for the Commission's staff to properly evaluate the equipment;
- (3) These exhibits contain highly confidential and proprietary technical information about the equipment design and operating characteristics;
- (4) Baron competes with a number of companies that are developing and marketing similar weather radar systems.
- (5) Disclosure of such information to competitors could compromise Baron's ability to develop this technology, in that other companies could reverse engineer products using this information;

- (6) Disclosure would relinquish valuable proprietary information about the technologies Baron has developed and its manufacturing processes. Disclosure would also offer competitors additional unwarranted insight into the state of Baron's product development thereby allowing competitors an advantage that would otherwise be unavailable to Baron.
- (7) Baron 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 Baron and has not been made available to third parties except pursuant to non-disclosure agreements. It is also Baron's practice to file a request for confidentiality at the time it submits an application for equipment authorization.
- (8) Baron requests that this information be withheld from public disclosure until and unless Baron notifies the Commission that such information may be publicly released. This equipment is designed for commercial weather radar operation and is expected to be used for more than a decade in some cases.
- (9) Confidential treatment of exhibits, such as these, allows Baron 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 FCC could base its decision to grant authorizations and delay deployment of these new and improved weather radar systems.

Sincerely,



George Y. Wheeler  
Counsel for Baron Services, Inc.