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July 21, 2000

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VIA HAND DELIVERY

Federal Communications Commission
Equipment Approval Services
7435 Oakland Mills Road
Columbia, MD 21046

Re: GE Marquette Medical System, Inc.
Request for Confidential Treatment of Technical Information
Contained in Application filed Under FCC ID No. OU5418500

To the Commission:

GE Marquette Medical Systems, Inc. ("GE Marquette"), by its attorneys, hereby requests confidential treatment with respect to portions of the above-referenced application. GE Marquette further requests that the data that now appears on the Commission's web site with respect to these portions of the application be removed immediately. Through inadvertence, no confidentiality request was filed when the information in question was originally submitted.

The information for which confidentiality is requested presently appears on the Commission's OET web site, under the above-referenced ID number, as follows:

Exhibit Type	Description of Exhibit
Block Diagram	Operational Block Diagram
Operational Description	Theory of Operation
Schematics	TS 2
Schematics	TS 3
Schematics	TS 4
Schematics	TS 5
Schematics	TS 6
Schematics	TS 7
Schematics	TS 8
Schematics	TS 9
Schematics	TS 10
Schematics	TS 11
Schematics	Transmitter Schematic TS 1

This request is made under the provisions of Section 0.457(d) of the Commission's Rules, 47 C.F.R. § 0.457(d), and Section 552(b)(4), of the Freedom of Information Act, 5 U.S.C. § 552(b)(4), which permit the withholding from public disclosure of "trade secrets and commercial or financial information obtained from any person and privileged or confidential." 47 C.F.R. § 0.457(d); See also Gulf & Western Industries, Inc. v. United States, 615 F.2d 527, 529 (D.C. Cir. 1979).

The technical documents for which confidential treatment is sought clearly contain trade secrets. See Kewanee Oil Co. v. Bicron Corp., 416 U.S. 470, 474-75 (1974); Public Citizen Health Research Group v. FDA, 704 F.2d 1280 (D.C. Cir. 1983). The documents provide detailed technical specifications – schematics, diagrams, and information on manufacturing techniques and methods – for the GE Marquette equipment for which certification was requested.

Moreover, the documents contain technical information that is "confidential." As noted in Section 0.457(d) of the FCC's Rules, the Commission may withhold materials "would customarily be guarded from competitors" by person supplying the information. 47 C.F.R. § 0.457(d). The United States Court of Appeals for the District of Columbia Circuit has determined that such material "is confidential" for purposes of the exemption if disclosure of the information is likely to have either of the following effects: (1) to impair the government's ability to obtain necessary information in the future; or (2) to cause substantial harm to the competitive position of the person from whom the information was obtained." National Parks &

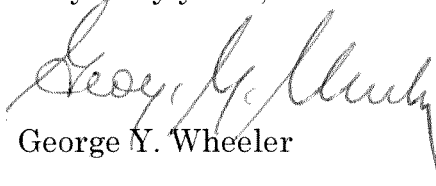
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Conservation Ass'n. v. Morton, 498 F.2d 765, 770 (D.C. Cir. 1974) (footnote omitted);
Neal-Cooper Grain Co. v. Kissinger, 385 F. Supp. 769, 776-77 (D.D.C. 1974).

The technical information that GE Marquette seeks to protect is material that it customarily would not release to the public, and which, if it were released, would cause substantial harm to the competitive position of GE Marquette. GE Marquette has kept, and intends to keep, these technical documents confidential, i.e., non-affiliated third parties will not routinely be granted access to these documents of the information contained therein. Where access is provided to third parties, it will be pursuant to confidentiality agreements. If the FCC were to make these public, GE Marquette's potential competitors would gain the benefit of detailed technical information developed by GE Marquette. Under these circumstances, the information qualifies for withholding from public inspection. National Parks & Conservation Ass'n v. Kleppe, 547 F.2d 673, 684 (D.C. Cir. 1976).

Should any questions arise concerning this matter, please call me at (202) 457-7073.

Very truly yours,



George Y. Wheeler