

Before The
Federal Communications Commission
Washington, D.C. 20554

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OCT 25 2005

Federal Communication Commission
Bureau / Office

In The Matter of)

DigitalGlobe, Inc.)

Modification of Authorization to Construct,
Launch and Operate a Remote-Sensing Satellite
System)

) File No. SAT-MOD-20040728-00151

) Call Sign: S2129

Received

NOV 08 2005

To: Chief, International Bureau

Policy Branch
International Bureau

**Request for Confidential Treatment of
DigitalGlobe Internal Checklists for Completion of NGA Milestones**

DigitalGlobe, Inc. ("DigitalGlobe"), by counsel and pursuant to 47 C.F.R. § 0.459, hereby requests that the Commission grant confidential treatment to the milestone checklists contained in Enclosures A, B and C to its Request for Determination of Compliance with Satellite Implementation Milestones (the "Request"), dated October 24, 2005.

In accordance with Section 0.459(b) of the Commissions rules, DigitalGlobe provides, as follows:

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

DigitalGlobe is seeking confidential treatment for all of the information listed in each of the three milestone checklists that are being submitted as parts of Enclosures A, B and C to the above-referenced Request.

(2) Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission.

The proceeding giving rise to the submission of the confidential data is the FCC's Bond

Requirement associated with DigitalGlobe's Space Station License Modification (SAT-MOD-200420040728-00151), and DigitalGlobe's certification of completion of three milestones related to construction of its Modified NGSO Earth Exploration Satellite System.

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

The milestone checklists contained in each of Enclosure A, B and C are highly confidential to DigitalGlobe. The milestone checklists contain detailed information concerning the incremental technical and engineering steps that DigitalGlobe has met in the course of performing its contractual obligations for the current satellite program, as well as very sensitive file and storage path information relating to where certain technical and other program documents are stored on DigitalGlobe's computer servers. In addition to the confidential nature of the information contained in Enclosures A, B and C, we believe that the information contained in the milestone checklists in the aggregate may be controlled for export under applicable United States export controls. Consequently, any public disclosure would result in a breach of U.S. law.

While the information contained in the milestone checklists is pertinent for the Commission's determination regarding whether DigitalGlobe has met the applicable regulatory milestones to release portions of the bond, there is little or no need for this information to be disclosed to the public in the opinion of DigitalGlobe.

(4) **Explanation of the degree to which the information concerns a service that is subject to competition.**

The milestone checklists contain details of the technical and engineering work that DigitalGlobe has performed on its next-generation remote-sensing satellite, and the overall program status. The remote-sensing industry is highly competitive, and the milestone checklists are intimately related to the inner workings of DigitalGlobe's core services.

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

Disclosure of the subject information could result in substantial competitive harm because such information would provide DigitalGlobe's competitors with detailed insight into the status of DigitalGlobe's program, thereby potentially enabling such competitors to utilize such information to unfairly benefit their own satellite programs by providing such otherwise nonpublic information to customers, suppliers and other interested third parties.

(6) **Identification of any measures taken by the submitting party to prevent unauthorized disclosure.**

DigitalGlobe considers the milestone checklists to be company proprietary and confidential, and prior to their initial submission to the National Geospatial-Intelligence Agency ("NGA"), each page of such documents was conspicuously marked with a restrictive legend to that effect.

In addition, DigitalGlobe treats the milestone checklists in the same manner as it does all other confidential and proprietary information, including keeping the checklists in secured storage areas, and limiting internal access to such materials.

(7) **Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties.**

The milestone checklists are not publicly available, and to DigitalGlobe's knowledge have never been disclosed to any unauthorized third parties.

(8) **Justification of the period during which the submitting party asserts that material should not be available for public disclosure.**

DigitalGlobe requests that the milestone checklists never be made publicly available

because such DigitalGlobe information retains competitive value even after launch of the satellite. A competitor's knowledge of the technical work performed by DigitalGlobe prior to launch could enable such competitor to leverage such information in its own future programs.

- (9) **Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted.**

None.

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Should you have any questions with regard to the Request, please contact the undersigned at (703) 563-3090, x. 205 or DigitalGlobe's General Counsel, Ms. Bettina Eckerle, at (303) 684-4312.

Respectfully submitted,

DIGITALGLOBE, INC.

By:


Keil J. Ritterbusch
Mark J. Rickers

PIERSON & RITTERPUSCH, LLP
2121 Cooperative Way, Suite 200
Herndon, Virginia 20171
(703) 563-3090 x.205

Bettina Eckerle
General Counsel
DigitalGlobe, Inc.
1601 Dry Creek Drive
Longmont, Colorado 80503

ENCLOSURES

October 24, 2005