

September 12, 2011

Via Hand Delivery

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th St., SW
Washington, D.C. 20554

Re: Response to August 10, 2011 Request for Additional Information
FCC File No. SAT-MOD-20101118-00239
**REQUEST FOR CONFIDENTIAL TREATMENT – CONFIDENTIAL
ATTACHMENTS**

Dear Ms. Dortch:

Attached please find Rockwell Collins' response to the Office of Engineering and Technology's ("OET's") above-captioned request for additional information.¹ Pursuant to Sections 0.457(d) and 0.459 of the Commission's rules, 47 C.F.R. §§ 0.457(d) & 0.459, Rockwell Collins hereby requests that the Commission withhold from public inspection, and accord confidential treatment to, the attached documents.²

The attached documents consist of sensitive product, sales, and performance data responsive to the August 10 Request. Such information falls squarely within Section 0.457(d) of the Commission's rules, as well as Exemption 4 of the Freedom of Information Act ("FOIA"),³ and thus should not be made available for public inspection. FOIA Exemption 4 provides that the statute's public disclosure requirement "does not apply to matters that are . . . trade secrets and commercial or financial information obtained from a person and privileged or confidential."⁴ The attached documents should be afforded confidentiality under Exemption 4 because they contain highly commercially sensitive information that Rockwell Collins typically would not release to the public or share with the Commission or any participants in the above-captioned proceeding. Rockwell Collins is providing this information only because OET has explicitly

¹ See Letter from Julius P. Knapp, Chief, Office of Engineering and Technology, to Jeffrey Carlisle, Executive Vice President for Regulatory Affairs and Public Policy, LightSquared Subsidiary LLC, and Mr. Charles R. Trimble, Chairman, U.S. GPS Industry Council, FCC File No. SAT-MOD-20101118-00239, dated Aug. 10, 2011 (the "August 10 Request").

² Because the entirety of the attached response consists of confidential information as explained herein, no redacted version of this filing is being submitted.

³ 5 U.S.C. § 552(b)(4).

⁴ *Id.* The Commission's rules mirror this language. See 47 C.F.R. § 0.457(d).

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requested it as part of the ongoing consideration of LightSquared's proposal to provide alternative terrestrial component wireless broadband service. Public disclosure of this information could cause substantial harm to Rockwell Collins' competitive position.

While Rockwell Collins believes that the attached documents are protected from public inspection pursuant to Section 0.457(d)(1) of the Commission's rules, out of an abundance of caution Rockwell Collins also alternatively requests that these documents be withheld from public inspection pursuant to Section 0.459. As indicated above, the attached documents contain sensitive commercial information responsive to OET's August 10 Request. *See* 47 U.S.C. § 0.459(b)(1)-(3). Rockwell Collins' products are sold in a highly competitive market – commercial avionics products and services – and public disclosure of the attached documents could give Rockwell Collins' competitors significant competitive advantages. *See id.* § 0.459(b)(4)&(5). Rockwell Collins has taken tremendous care to prevent disclosure of the information at issue to unaffiliated third parties: none of this information is available to the public, and the information is not disclosed to third parties in the ordinary course of business. *See id.* § 0.459(b)(6) & (7). For these reasons, the attached documents should be protected from disclosure under Section 0.459 of the Commission's rules. Because Rockwell Collins does not anticipate the sensitivity of this information decreasing in the foreseeable future, Rockwell Collins seeks confidential treatment for an indefinite period.

Please contact me if you have any questions about this matter.

Sincerely,



Robert A. Sturgell
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Enclosures