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June 23, 2004

**BY HAND DELIVERY**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Int'l Bureau

RECEIVED

JUN 28 2004

JUN 23 2004

Front Office

Federal Communications Commission  
Office of Secretary

Received  
JUN 29 2004  
Policy Branch  
International Bureau

Re: *DIRECTV, Inc., Request for Special Temporary Authority to Relocate  
DIRECTV-3 to 82° W.L. and to Conduct Telemetry, Tracking and  
Command ("TT&C") Operations for an Interim Period  
File No. SAT-STA-20030903-00300*  
**Request for Confidential Treatment**

Dear Ms. Dortch:

On October 7, 2003, DIRECTV Enterprises, LLC,<sup>1</sup> on behalf of itself and its subsidiaries and affiliates ("DIRECTV"), requested that the Commission withhold certain documents submitted in connection with the above-referenced STA request from public inspection and accord them confidential treatment pursuant to sections 0.457 and 0.459 of the Commission's rules, 47 C.F.R. §§ 0.457, 0.459. On March 22, 2004, the International Bureau issued a Protective Order in this proceeding that covered those and other related documents that had been submitted to the Commission.<sup>2</sup> Today, DIRECTV advised the International Bureau of the finalization of the operational agreement between DIRECTV and Telesat Canada that is referenced in the documents previously submitted and should be associated with them in the record of this proceeding.

DIRECTV today is submitting this operational agreement directly to Messrs. Jay Whaley and Karl Kensinger of the International Bureau, along with a copy of this letter. DIRECTV hereby requests confidential treatment for this supplemental documentation, incorporating by reference the detailed justifications set forth in its October 7, 2003

<sup>1</sup> DIRECTV Enterprises, LLC is a licensee in the high-power Direct Broadcast Satellite service and a wholly owned subsidiary of The DIRECTV Group, Inc.

<sup>2</sup> See *DIRECTV Enterprises, LLC*, 19 FCC Rcd. 5255 (Int'l Bur. 2004) ("Protective Order")

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Page 2 of 2

submission, which remain applicable. DIRECTV is voluntarily providing this trade secret and commercial and financial information "of a kind that would not customarily be released to the public" and, therefore, this information is "confidential" under Exemption 4 of the Freedom of Information Act.<sup>3</sup> Moreover, DIRECTV would suffer substantial competitive harm if this documentation and the information contained therein were publicly disclosed.<sup>4</sup> Accordingly, DIRECTV requests confidential treatment pursuant to the Protective Order.

Please do not hesitate to contact the undersigned with any questions.

Respectfully submitted,



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*Counsel for DIRECTV Enterprises, LLC*

cc: Thomas Tycz (without enclosure)  
Jay Whaley (with enclosure)  
Karl Kensinger (with enclosure)  
Bruce Jacobs (with enclosure)  
Kirsten Embree (with enclosure)  
Pantelis Michalopoulos (with enclosure)  
Howard Symons (with enclosure)  
Phillip Spector (with enclosure)

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<sup>3</sup> See *Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992).

<sup>4</sup> See *National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974).