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July 17, 2018

**VIA ECFS AND HAND DELIVERY**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: REQUEST FOR CONFIDENTIAL TREATMENT**  
**Precision Broadband LLC**  
**PS Docket No. 18-64**

Secretary Dortch:

Pursuant to Sections 0.457, 0.459 and 1.1206(b)(2) of the Commission's rules, 47 C.F.R. §§ 0.457, 0.459 & 1.1206(b)(2), Precision Broadband LLC ("Precision Broadband"), by its attorneys, respectfully requests that certain materials and information submitted with its July 17, 2018 Notice of Ex Parte Presentation filed in the above-referenced docket ("July 17 Ex Parte Notice") be withheld from public inspection.

Specifically, Precision Broadband requests that the Commission withhold from any future public inspection and afford confidential treatment to certain portions of a written presentation shown to Commission staff during the meetings described in the July 17 Ex Parte Notice. The confidential information, which has been redacted from the publicly available version of the July 17 Ex Parte Notice, constitutes sensitive commercial information that falls within Exemption 4 of the Freedom of Information Act ("FOIA"). Exemption 4 of FOIA provides that the public disclosure requirement of the statute "does not apply to matters that are ... (4) trade secrets and commercial or financial information obtained from a person and privileged or confidential." 5 U.S.C. § 552(b)(4). Because Precision Broadband is submitting commercial information "of a kind that would not customarily be released to the public," this information is "confidential" under Exemption 4 of FOIA. See *Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992).

In support of its request for confidential treatment and pursuant to the requirements under Section 0.459(b) of the Commission's rules, 47 C.F.R. § 0.459(b), Precision Broadband states the following:

1. *Identification of the Specific Information for Which Confidential Treatment Is Sought (Section 0.459(b)(1))*

Precision Broadband seeks confidential treatment of trade secret information contained on certain pages of a written presentation attached to the July 17 Ex Parte Notice. The specific pages of the presentation claimed as confidential have been redacted from the publicly available version of the July 17 Ex Parte Notice.

2. *Identification of the Commission Proceeding in which the Information Was Submitted or a Description of the Circumstances Giving Rise to the Submission (Section 0.459(b)(2))*

Precision Broadband is submitting the information covered by this request as part of its July 17 Ex Parte Notice filed in PS Docket No. 18-64. In this proceeding, the Commission released a Notice of Inquiry on March 23, 2018 (FCC 18-32) that, among other things, asked whether there are “any additional solutions that can be leveraged to provide location-based routing for wireless 911 calls that are not discussed [in the Notice of Inquiry].”<sup>1</sup> As Precision Broadband has been developing solutions to address this issue, the information covered by this request is being submitted in response to the Commission’s Notice of Inquiry.

3. *Explanation of the Degree to Which the Information Is Commercial or Financial, or Contains a Trade Secret or Is Privileged (Section 0.459(b)(3))*

The information covered by this request is protected from disclosure, because it contains trade secret information of Precision Broadband.

4. *Explanation of the Degree to Which the Information Concerns a Service that Is Subject to Competition (Section 0.459(b)(4))*

The information covered by this request contains trade secret information that concerns technology being developed by Precision Broadband to overcome technical challenges associated with acquiring accurate locations for wireless 911 calls and the resulting delays in emergency assistance due to the misrouting of many of those calls. The market for products and services in this field is highly competitive.

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<sup>1</sup> *In the Matter of Location-Based Routing for Wireless 911 Calls*, PS Docket No. 18-64, \_\_\_ FCC Rcd. \_\_\_, 2018 WL 1452722, Notice of Inquiry, ¶ 29 (2018).



5. *Explanation of How Disclosure of the Information Could Result in Substantial Competitive Harm (Section 0.459(b)(5)).*

Disclosure of the information covered by this request would provide competitors with insights into the company's trade secrets, which could harm the company's competitive position and work to its substantial competitive disadvantage.

6. *Identification of Any Measures Taken to Prevent Unauthorized Disclosure (Section 0.459(b)(6))*

Precision Broadband keeps the information covered by this request strictly confidential. Precision Broadband only shares the information with partners that have entered into a non-disclosure agreement with the company.

7. *Identification of Whether the Information Is Available to the Public and the Extent of Any Previous Disclosure of the Information to Third Parties (Section 0.459(b)(7))*

The information covered by this request has not been made publicly available. Precision Broadband has only shared the information with third parties that have partnered with the company for the specific purpose of developing and testing the technology. All such third parties (including INdigital Telecom) have entered a non-disclosure agreement with Precision Broadband and, as such, are required to keep the information strictly confidential have not made the information available to the public.

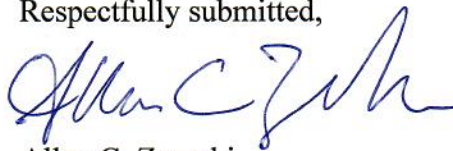
8. *Justification of the Period During which the Submitting Party Asserts that Material Should Not Be Available for Public Disclosure (Section 0.459(b)(8))*

The information covered by this request should be treated as confidential for an indefinite period, as there are substantial competitive harms associated with the disclosure of the confidential information.

\* \* \*

Please direct any questions concerning this request to the undersigned.

Respectfully submitted,



Allen C. Zoracki

Counsel for Precision Broadband LLC

## Automatically Providing Location Information for Routing 911 Calls Using Fixed Broadband Networks

### CONFIDENTIAL SLIDES

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July 16, 2018



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