

FILED/ACCEPTED



OCT - 5 2011

Federal Communications Commission  
Office of the Secretary

August 15, 2011

Sent Electronically

Mr. Julius Knapp  
Federal Communications Commission  
445 Twelfth Street, SW, TW-A325  
Washington, DC 20554

**R**      **REQUEST FOR CONFIDENTIAL**  
**e**      **TREATMENT**  
**:**      **LightSquared Subsidiary LLC**  
         **IB Docket 11-109**  
         **File No. SAT-MOD-20101118-00239**

---

Dear Ms. Dortch:

At the request of the Office of Engineering and Technology,<sup>1</sup> LightSquared Subsidiary LLC ("LightSquared"), on behalf of the Working Group established in the FCC Order DA 11-133 (January 26, 2011), hereby submits a "Device Code Key" as a supplement to the Final Report of the Working Group (June 30, 2011) ("Final Report") and requests confidential treatment of this information. The Device Code Key provides a chart associating the actual GPS-related devices tested with the random number codes used in the Final Report, thereby allowing one to identify the specific test measurements of any device tested and removing the device anonymity established in the Final Report. See Final Report, at Section 2.6. Because the tests conducted by the Working Group were designed to protect technical and commercially sensitive information resulting from the testing and the participants of the Working Group all agreed device anonymity was a necessary

<sup>1</sup> See Letter to Jeffrey Carlisle, Executive Vice President, LightSquared Subsidiary LLC, and Charles R. Trimble, Chairman, U.S. GPS Industry Council from Julius P. Knapp, Chief, Office of Engineering and Technology, FCC (August 10, 2011). The letter also sought information regarding the use of external antennas for the devices tested. This information was not collected by the Working Group. LightSquared is requesting the relevant participants of the Working Group to provide such information directly to the OET, as part of the response to the OET letter.

No. of Copies rec'd \_\_\_\_\_  
List ABCDE      0

prerequisite for broad participation in the testing, LightSquared requests confidential treatment of the Device Code Key.<sup>2</sup>

In conformity with Section 0.459(b) of the Commission's rules, 47 C.F.R. § 0.459(b), LightSquared submits the following:

(1) *Identification of the Specific Information for Which Confidential Treatment is Sought.* LightSquared, on behalf of the Working Group, requests confidential treatment of the attached Device Code Key, which provides a chart associating the actual GPS-related devices tested with the random number codes used in the Final Report, thereby allowing one to identify the specific test measurements of any device tested and removing the device anonymity established in the Final Report.

(2) *Description of Circumstances Giving Rise to Submission.* LightSquared, on behalf of the Working Group, is providing the Device Code Key as a supplement to the Final Report, pursuant to a request by the Office of Engineering and Technology.<sup>3</sup>

(3) *Explanation of the Degree to Which the Information is Commercial or Financial, or Contains a Trade Secret or is Privileged.* The specific test results for the devices tested by the Working Group contains confidential technical and commercial information not made available to the public or to competitors. Disclosure of the Device Code Key would reveal that confidential information.

(4) *Explanation of the Degree to Which the Information Concerns a Service that is Subject to Competition.* The Working Group tested devices are used in a number of competitive markets, including GPS-related devices used for aviation, cellular services, general location/navigation, high-precision services, timing and networks. Indeed, the participants to the Working Group imposed the device anonymity requirement out of concern that the technical and commercially sensitive information regarding the devices could be divulged and abused by competitors.

(5) *Explanation of How Disclosure of the Information Could Result in Substantial Competitive Harm.* Disclosure of the Device Code Key could result in substantial competitive harm to the device manufacturers submitting devices for testing, by allowing competitors of such manufacturers to use the technical and commercially sensitive

---

<sup>2</sup> See 5 U.S.C. § 552 *et seq.*; 47 C.F.R. §§ 0.457, 0.459. Because a complete list of the devices tested was provided in the Final Report, no redacted version of this filing is being submitted. See Final Report, at Appendix D.1.

<sup>3</sup> See Letter to Jeffrey Carlisle, Executive Vice President, LightSquared Subsidiary LLC, and Charles R. Trimble, Chairman, U.S. GPS Industry Council from Julius P. Knapp, Chief, Office of Engineering and Technology, FCC, at 1 (August 10, 2011).

information revealed in the Final Report in an unfair manner. The participants to the Working Group established the device anonymity requirement to avoid just such a result.

(6) *Identification of Any Measures Taken to Prevent Unauthorized Disclosure.* The Device Code Key has been kept strictly confidential by LightSquared and other participants of the Working Group with access to such information and has not been released to the public. In some instances, when requested, relevant parties executed confidentiality agreements.

(7) *Identification of Whether the Information is Available to the Public and the Extent of Any Previous Disclosure of the Information to Third Parties.* This information has not been made available to the public. As noted in response (6) above, all of the information referred to herein is kept strictly confidential and is not made available to the public or to third parties.

(8) *Justification of the Period During Which the Submitting Party Asserts that the Material Should Not be Available for Public Disclosure.* There is no public benefit to be derived from disclosure of the Device Code Key. Test results for the devices already have been disclosed on an anonymous basis, allowing for a complete technical analysis of the issues raised in FCC Order DA 11-133. Accordingly, the Device Code Key should be permanently withheld from public disclosure.

Please contact the undersigned if you should have any questions regarding this matter.

Respectfully submitted,

/s/ Jeffrey Carlisle  
*Executive Vice President  
for Regulatory  
Affairs and Public  
Policy,  
LightSquared and  
Co-Chair, Technical  
Working Group*

Enclosure (Confidential)

cc: Ronald Repasi