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March 21, 2011

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: Final Request for Confidentiality of Harris Corporation for FCC ID No.  
NK73100176 (FCC Correspondence Number 39482)**

Dear Ms. Dortch:

Harris Corporation (“Harris”) submits this revised, post grant request for confidentiality. Public disclosure of certain materials included in the above referenced equipment authorization application could reasonably put public safety officials at risk, jeopardize the integrity and value of investigative techniques and procedures, reveal Harris trade secrets due to the nature of the equipment, and harm Harris’ competitive interests. Harris respectfully requests, pursuant to 47 C.F.R. § 0.457(g), 47 C.F.R. § 0.457(d), and 47 C.F.R. § 0.459, that certain documents be held as confidential and withheld from public inspection or be superseded in the Commission’s equipment authorization system by subsequently filed versions. Exhibit A, Exhibit B, and Exhibit C provides listings of Harris’ requested treatment of exhibits, cover letters and correspondence.

- Exhibit A- Harris respectfully requests that these documents be treated as confidential and withheld from public inspection.
- Exhibit B- Harris respectfully requests that these documents be superseded in the Commission’s equipment authorization system because the materials have been subsequently replaced with a revised version.
- Exhibit C- The following documents may be made publicly available without any restrictions.

**1. Confidentiality Compliance with 47 C.F.R. § 0.457(g)**

Section 0.457(g)(5) and (6) of the Commission’s rules—pursuant to 5 U.S.C. § 552(b)(7)(E) and (F)—provides confidentiality if the production of records would either “disclose law enforcement investigative techniques or procedures,” or “endanger the life or physical safety of public law enforcement.” The product FCC ID No. NK73100176 is intended for use by federal, state, and local public safety entities. The nature of the product make it necessary for the descriptions provided in the equipment authorization application and supporting documents/exhibits— including technical information regarding the performance parameters, design and operation of the technology, and information regarding the identity of the entities proposing to use the product—be withheld from public disclosure and treated as



confidential under Section 0.457(g) of the Commission's rules. A complete list of documents that Harris respectfully requests be treated as confidential and withheld from public inspection is provided in Exhibit A.

To further support Harris' request for confidentiality and to underscore the need for confidentiality, Harris requests that the Commission condition its equipment authorization application as stated below:

Requested Equipment Authorization Conditions:

- (1) *The marketing and sale of these devices shall be limited to federal/state/local public safety and law enforcement officials only; and*
- (2) *State and local law enforcement agencies must advance coordinate with the FBI the acquisition and use of the equipment authorized under this authorization.*

These conditions are respectfully requested to ensure that the product associated with FCC ID No. NK73100176 is limited to its intended use, operated only by federal, state, and local public safety officials, and to prevent and address concerns regarding the proliferation of the equipment to unauthorized users.

Providing confidential treatment of the materials included with the equipment authorization application identified as FCC ID No. NK73100176 would be in compliance with Section 0.457(g) of the Commission's rules—specifically 47 C.F.R. § 0.457(g)(5) and (6). It is crucial to the protection of public safety officials that all materials identified in Exhibit A be treated as confidential and withheld from public inspection.

**2. Confidentiality Compliance with 47 C.F.R. § 0.457(d).**

Likewise, Section 0.457(d) of the Commission's rules provides that trade secrets may not be routinely made available for public inspection. Harris competes with a number of companies that are developing and marketing similar public safety devices. Harris is careful in protecting proprietary aspects of its equipment design and manufacturing processes due to the sensitive nature of the product. The information for which confidential treatment is sought has been kept confidential from public disclosure by Harris and has not been made available to third parties without the execution of non-disclosure agreements.

Disclosure of the technical information disclosed in the attached documents to competitors could compromise Harris' ability to develop and protect this technology as other companies could reverse engineer products using the information provided as part of the equipment authorization application. Moreover, disclosure of technical content would relinquish valuable proprietary information about the technologies Harris has developed and its manufacturing processes. Disclosure would also offer competitors additional unwarranted insight into the state of Harris' product development, thereby allowing competitors an advantage that would otherwise be unavailable to Harris. Therefore, in furtherance of Section 0.457(d) of the Commission's rules, Harris respectfully requests that all materials identified in Exhibit A be treated as confidential and withheld from public inspection.



### **3. Confidentiality Compliance with 47 C.F.R. § 0.459(b).**

Pursuant to Section 0.459(b)(1-9) of the Commission's rules, Harris provides the following information in support of its request for confidentiality:

- (1) The information disclosed in the attached equipment authorization application includes highly confidential and proprietary technical information about the equipment design and operating characteristics. Harris respectfully request that the attached equipment authorization application, in its entirety, and all supporting materials identified in Exhibit A be withheld from public inspection.
- (2) The Commission proceeding by which the information is submitted is identified as—FCC ID No. NK73100176.
- (3) Disclosure of the technical information disclosed in the application to competitors could compromise Harris' ability to sell and continue to develop the product line. Public disclosure of the information in the attached documents would provide other companies the opportunity could reverse engineer the communications technology.
- (4) There are many competitors that produce similar public safety equipment. Thus, any disclosure of Harris technical information regarding this product would relinquish valuable proprietary information about the how the technology was developed and the manufacturing process. Disclosure would also offer competitors additional unwarranted insight into the state of Harris' product development, thereby allowing competitors an advantage that would otherwise be unavailable to Harris.
- (5) Disclosure would result in substantial competitive harm to Harris. Disclosure would offer competitors insight into Harris' product development process and provide competitors a competitive advantage in the market.
- (6) Harris is careful in protecting proprietary aspects of its equipment design and manufacturing processes. The information for which confidential treatment is sought has been kept confidential from public disclosure by Harris throughout development. It has only been made available to third parties pursuant to non-disclosure agreements.
- (7) None of the technical information included in the attached equipment authorization application has been made available to the public. Information revealed to third parties was made pursuant to non-disclosure agreements.
- (8) Harris requests that this information be withheld from public disclosure until and unless Harris notifies the Commission that such information may be publicly released. This equipment is designed for use by authorized users only and may be used for more than a decade in some cases. Moreover the equipment will be used by federal, state, and local public safety officials, thus, it is important that its design and operational details not be made available to unauthorized persons who might attempt to use knowledge of such details to compromise the applications for which the equipment will be employed.



- (9) Confidential treatment of the information contained in the attached equipment authorization application allows Harris to provide a full technical description of the equipment. However, refusal to treat such documents as confidential would result in submission of insufficient information on which the Commission could base its decision and delay deployment of these new and improved public safety devices.

For the foregoing reasons, Harris respectfully requests that the Commission treat the attached equipment authorization application and supporting materials as confidential and withhold them from public inspection. If Harris' request for confidentiality is found to be incomplete, Harris respectfully requests the Commission notify Harris of any deficiencies and provide Harris reasonable time to provide additional information. Should Harris' request for confidentiality be denied, Harris respectfully requests that the Commission return all materials to which confidentiality cannot be provided.

Respectfully submitted,

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/s/

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## **Exhibit A**

*Harris respectfully requests that these documents be treated as confidential and withheld from public inspection.*



<b>Exhibit Type</b>	<b>File Description</b>	<b>Correspondence Number</b>	<b>Date Submitted</b>	<b>Action Requested</b>
Block Diagram	Block Diagrams	N/A	2010-05-05 10:01:39.446	Hold as Confidential
Cover Letter	Request for Condition	N/A	2010-05-07 14:34:44.483	Hold as Confidential
Cover Letter	Confidential Response to Correspondence	Correspondence 38843	2010-05-20 16:31:37.433	Hold as Confidential
Cover Letter	Correspondence Response with Confidential Attachments	Correspondence 38880	2010-06-09 10:39:51.253	Hold as Confidential
Cover Letter	Intended Use and Operational Description Clarification- Confidential	N/A	2010-07-15 09:57:55.303	Hold as Confidential
External Photos	Bottom	N/A	2010-05-05 10:13:18.423	Hold as Confidential
External Photos	Face Close Up	N/A	2010-05-05 10:13:24.046	Hold as Confidential
External Photos	Leftside	N/A	2010-05-05 10:13:27.96	Hold as Confidential
External Photos	Back	N/A	2010-05-05 10:13:14.6	Hold as Confidential
External Photos	Rightside	N/A	2010-05-05 10:13:31.21	Hold as Confidential
External Photos	Top	N/A	2010-05-05 10:13:34.45	Hold as Confidential
Internal Photos	Back View SDR 1	N/A	2010-05-05 10:09:33.56	Hold as Confidential
Internal Photos	Back View SDR and RFD	N/A	2010-05-05 10:09:38.133	Hold as Confidential
Internal Photos	Back View SDR and RFD 1	N/A	2010-05-05 10:09:43.103	Hold as Confidential
Internal Photos	Back View SDR and RFD Removed	N/A	2010-05-05 10:09:46.816	Hold as Confidential
Internal Photos	Battery Ejected 1	N/A	2010-05-05 10:09:50.393	Hold as Confidential



Exhibit Type	File Description	Correspondence Number	Date Submitted	Action Requested
Internal Photos	Battery Ejected	N/A	2010-05-05 10:09:53.983	Hold as Confidential
Internal Photos	Face RF Wiring	N/A	2010-05-05 10:09:59.84	Hold as Confidential
Internal Photos	SDR01	N/A	2010-05-05 10:10:05.913	Hold as Confidential
Internal Photos	SDR03	N/A	2010-05-05 10:10:21.566	Hold as Confidential
Internal Photos	SDR04	N/A	2010-05-05 10:10:27.463	Hold as Confidential
Internal Photos	Top View Open	N/A	2010-05-05 10:10:31.156	Hold as Confidential
Internal Photos	SDR02	N/A	2010-05-05 10:10:14.18	Hold as Confidential
Operational Description	Operational Description	N/A	2010-05-05 10:01:46.096	Hold as Confidential
Operational Description	Top View Open Angeled	N/A	2010-05-05 10:10:36.68	Hold as Confidential
Parts List/Tune Up Info	Chassis BackPlane Parts List	N/A	2010-05-05 10:01:47.206	Hold as Confidential
Parts List/Tune Up Info	Chassis Battery Board Parts List	N/A	2010-05-05 10:01:48.036	Hold as Confidential
Parts List/Tune Up Info	Chassis Bluetooth Parts List	N/A	2010-05-05 10:01:48.92	Hold as Confidential
Parts List/Tune Up Info	Chassis Power Supply Parts List	N/A	2010-05-05 10:01:50.63	Hold as Confidential
Parts List/Tune Up Info	Chassis RFD Parts List	N/A	2010-05-05 10:01:51.82	Hold as Confidential
Parts List/Tune Up Info	SDR Converter Parts List	N/A	2010-05-05 10:01:52.516	Hold as Confidential
Parts List/Tune Up Info	Digital Parts List	N/A	2010-05-05 10:01:53.253	Hold as Confidential
Parts List/Tune Up Info	SDR RFIF Parts List	N/A	2010-05-05 10:01:54.043	Hold as Confidential
Schematics	Backplane Schematics	N/A	2010-05-05 10:20:52.133	Hold as Confidential



Exhibit Type	File Description	Correspondence Number	Date Submitted	Action Requested
Schematics	Digital Schematics	N/A	2010-05-05 10:20:56.403	Hold as Confidential
Schematics	Power Supply Schematics	N/A	2010-05-05 10:20:58.856	Hold as Confidential
Schematics	RFD Schematics	N/A	2010-05-05 10:21:10.386	Hold as Confidential
Schematics	RFIF Schematics	N/A	2010-05-05 10:21:16.926	Hold as Confidential
Schematics	Converter Schematics	N/A	2010-05-05 10:20:53.42	Hold as Confidential
Test Setup Photos	Powerline Conduceted Emissions with Converter	N/A	2010-05-05 10:20:48.986	Hold as Confidential
Test Setup Photos	Powerline Conduceted Emissions	N/A	2010-05-05 10:20:49.803	Hold as Confidential
Test Setup Photos	Radiated Emissions Test	N/A	2010-05-05 10:20:50.626	Hold as Confidential
Users Manual	Operator Manual	N/A	2010-05-05 10:01:45.246	Hold as Confidential





## **Exhibit B**

*Harris respectfully requests that these documents be superseded in the Commission's equipment authorization system because the materials have been subsequently replaced with a revised version.*



Exhibit Type	File Description	Correspondence Number	Date Submitted	Action Requested
Cover Letter	Correspondence Routing	N/A	2010-06-22 15:05:03.79	Superseded by document listed in Exhibit C
Cover Letter	Response to Correspondence 39044 Confidential	Correspondence 39044	2010-07-26 17:38:09.633	Superseded by document listed in Exhibit C
Cover Letter	Request for Confidentiality	N/A	2010-05-05 10:01:35.98	Superseded by document listed in Exhibit A
Cover Letter	Request for Alternate Method of Positively Identifying Equipment	N/A	2010-05-14 16:33:16.56	Superseded by document listed in Exhibit C
Cover Letter	Revised Request for Confidentiality	N/A	2010-10-12 18:19:27.736	Superseded by document listed in Exhibit A
Cover Letter	Revised Request for Confidentiality	N/A	2010-11-04 11:38:42.8	Superseded by document listed in Exhibit A
ID Label/Location Info	Manual Notification	N/A	2010-05-14 16:33:16.913	Superseded by document listed in Exhibit C
ID Label/Location Info	Manual Cover Notification	N/A	2010-05-14 16:33:17.76	Superseded by document listed in Exhibit C
ID Label/Location Info	Manual Table of Contents Notification	N/A	2010-05-14 16:33:18.4	Superseded by document listed in Exhibit C
ID Label/Location Info	Amended ID Label	N/A	2010-07-14 12:02:24.483	Superseded by document listed in Exhibit C
ID Label/Location Info	Revised ID Label	Correspondence 39269	2010-11-09 10:42:05.356	Superseded by document listed in Exhibit C
RF Exposure Info	RF Exposure 850MHz	N/A	2010-05-18 16:40:05.943	Superseded by document listed in Exhibit C
RF Exposure Info	RF Exposure 1900MHz	N/A	2010-05-18 16:40:06.313	Superseded by document listed in Exhibit C



Exhibit Type	File Description	Correspondence Number	Date Submitted	Action Requested
RF Exposure Info	Amended RF Exposure Report	N/A	2010-07-26 17:38:15.083	Superseded by document listed in Exhibit C
RF Exposure Info	Amended RF Exposure Report	N/A	2010-07-26 17:38:16.966	Superseded by document listed in Exhibit C
Test Report	Test Report 2 of 2	N/A	2010-05-05 10:20:48.046	Superseded by document listed in Exhibit C
Test Report	Test Report 1 of 2	N/A	2010-05-05 10:20:45.59	Superseded by document listed in Exhibit C
Users Manual	Operators Manual Updated with FCC ID Notifications	N/A	2010-05-14 16:41:36.42	Superseded by document listed in Exhibit A
Cover Letter	Final Revised Request for Confidentiality	39482	2011-03-14	Superseded by document in Exhibit C



## **Exhibit C**

*The following documents may be made publicly available without any restrictions.*



Exhibit Type	File Description	Correspondence Number	Date Submitted	Action Requested
Cover Letter	Revised Correspondence Routing	39482	2011-03-13 16:40:28.363	None
Cover Letter	Revised Response to Correspondence 39044	39482	2011-03-13 16:40:27.653	None
ID Label/Location Info	Revised ID Label	39482	2011-03-13 16:40:27.166	None
RF Exposure Info	Revised RF Exposure 850MHz	39482	2011-03-13 16:40:26.133	None
RF Exposure Info	Revised RF Exposure 1900MHz	39482	2011-03-13 16:40:26.626	None
Test Report	Revised Test Report 2 of 2	39482	2011-03-13 16:40:24.883	None
Test Report	Revised Test Report 1 of 2	39482	2011-03-13 16:40:18.56	None
Cover Letter	Final Request for Confidentiality	39482	2011-03-21	None