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September 7, 2006

FEDERAL COMMUNICATIONS COMMISSION
Office of Engineering & Technology
7435 Oakland Mills Road
Columbia, MD 21046

Subject: Request for confidentiality for FCC ID: TY7210-0150

To Whom It May Concern:

Pursuant to 47 CFR Sections 0.457 and 0.459, CURRENT Technologies, LLC ("CURRENT") hereby requests non-disclosure and confidential treatment of the following materials submitted in support of FCC certification application for FCC ID # TY7210-0150.

- a. Block Diagram (submitted 6/30/06)
- b. Revised Block Diagram (submitted 7/28/06)
- c. Internal Photos (submitted 6/30/06)
- d. Operational Description (submitted 6/30/06)
- e. Installation Guide (submitted 6/30/06)
- f. Reply to correspondence 31235, pt. 2 (submitted 8/1/06)
- g. Revised Notching Instructions (submitted 7/25/06)

The above materials contain trade secrets and proprietary, technical information that CURRENT would customarily guard from competitors. See 47 C.F.R. § 0.457(d)(2). Disclosure or publication of any portion of this confidential material to other parties could cause substantial competitive harm and provide unjustified benefits for competitors. The information in these exhibits is not available to the general public.

This information, including that in the internal photos, is not disclosed to third parties except under protection of a confidentiality agreement that prohibits further disclosure. Therefore recipients of this information are constrained by contract from showing the equipment or discussing its operation to anyone not approved by CURRENT. Although the underlying equipment is installed outdoors, all installations (as well as equipment removal and in-situ maintenance) are performed only by certified utility company linemen or contractors, and once installed the equipment resides in the "power space" of utility poles where electric distribution lines are hung. Access to this space is very dangerous and under the National Electric Safety Code is strictly limited to qualified utility workers certified to work within such "power space." Finally, the underlying equipment is serviceable only by CURRENT or a CURRENT-authorized third party. As a result, the design details of the equipment, including internal photos, are hidden from competitors and protected against public disclosure.

The equipment design, as shown in the internal photos, was developed by CURRENT at great expense. Disclosure of this information via the FCC website would convey an unfair and unearned competitive advantage to other companies in this market. CURRENT is entitled to have the information protected pursuant to *Worthington Compressors v. Costle*, 662 F.2d 45, 51 (D.C. Cir. 1981).



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Sincerely,

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