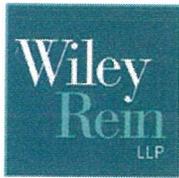


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Accepted / Filed

JUN 30 2015

PUBLIC VERSION

June 30, 2015

Federal Communications Commission
Office of the Secretary

Jennifer D. Hindin
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Ms. Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Iridium Constellation LLC, 1.6/2.4 GHz Mobile Satellite System License,
Call Sign S2110, Section 25.170 Annual Report and Request for
Confidential Treatment Pursuant to Sections 0.457 and 0.459

Dear Ms. Dortch:

Iridium Constellation LLC (“Iridium”), by its attorney, and pursuant to Section 25.170 of the Commission’s rules, hereby submits its annual report regarding the status of the Iridium U.S.-licensed space stations as of May 31, 2015 (“Annual Report”). Iridium respectfully requests that, pursuant to Section 0.459 of the Commission’s Rules, 47 C.F.R. § 0.459, the Commission withhold from public inspection and afford confidential treatment to Section (a) of the Annual Report in accordance with Section 552(b)(4) of the Freedom of Information Act, 5 U.S.C. § 552(b)(4), and Sections 0.457(d)(2) and 0.459(b) of the Commission’s Rules, 47 C.F.R. §§ 0.457(d)(2), 0.459(b). Iridium is filing a public redacted copy of the Annual Report as well.

Section 552(b)(4) of the Freedom of Information Act permits an agency to withhold from public disclosure any information that qualifies as “trade secrets and commercial or financial information obtained from a person and privileged or confidential.” 5 U.S.C. § 552(b)(4). Section 0.457(d)(2) of the Commission’s Rules allows persons submitting materials that they wish withheld from public inspection in accordance with Section 552(b)(4) to file a request for non-disclosure. 47 C.F.R. § 0.457(d)(2). The requirements governing such requests are set forth in Section 0.459(b).

In accordance with Section 0.459 of the Commission’s rules, Iridium hereby submits the following:

(1) *Identification of Specific Information for Which Confidential Treatment is Sought (Section 0.459(b)(1))*. Iridium seeks confidential treatment of Section (a) of

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the Annual Report, which contains information on space stations not available for service or not performing within specifications.

(2) *Description of Circumstances Giving Rise to Submission (Section 0.459(b)(2))*. Iridium is filing the instant Annual Report pursuant to Section 25.170, which requires all operators of U.S.-licensed space stations and operators of non-U.S.-licensed space stations granted market access to file on June 30 of each year a report with the International Bureau containing: (a) identification of any space stations not available for service or otherwise not performing to specifications and related information; (b) a current listing of the contact information for the short term and long term contact personnel for resolution of interference problems and for emergency responses; and (c) the status of satellite construction progress and anticipated launch dates for authorized replacement satellites.

(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))*. Section (a) of the Annual Report contains sensitive commercial information that competitors could use to Iridium's disadvantage. The confidential information provided is sensitive commercial data of the type that businesses normally keep confidential and that Iridium, in fact, keeps confidential. *See* 5 U.S.C. § 552(b)(4).

Thus, the request contains information about the company's performance that is clearly "commercial" and "financial" in nature. *See Board of Trade v. Commodity Futures Trading Comm'n*, 627 F.2d 392, 403 & n.78 (D.C. Cir. 1980) (courts have given the terms "commercial" and "financial," as used in Section 552(b)(4), their ordinary meanings). In addition, the information provided is "confidential." Under well-settled case law, such material "is 'confidential' . . . if disclosure of the information is likely to have either of the following effects: (1) to impair the government's ability to obtain necessary information in the future; or (2) to cause substantial harm to the competitive position of the person from whom the information was obtained." *Nat'l Parks and Conservation Ass'n v. Morton*, 498 F.2d 764, 770 (D.C. Cir. 1974) (footnote omitted); *see also Critical Mass Energy Project v. NRC*, 975 F.2d 871 (D.C. Cir. 1992), *cert. denied*, 113 S. Ct. 1579 (1993).

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The information in Section (a) of the Annual Report falls clearly within the definition of commercial. Competitors could use this information to enhance their market position at Iridium's expense.

(4) *Explanation of the Degree to Which the Information Concerns a Service that is Subject to Competition (Section 0.459(b)(4)).* Substantial competition exists in the mobile satellite service ("MSS") industry. The presence of competitors makes imperative the confidential treatment of sensitive commercial information.

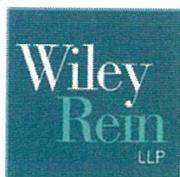
(5) *Explanation of How Disclosure of the Information Could Result in Substantial Competitive Harm (Section 0.459(b)(5)).* As noted above, the MSS industry and the telecommunications industry as a whole are extremely competitive. Release of the information in Section (a) of the Annual Report could have a significant impact on Iridium's commercial operations. If competitors or customers had access to this information, it could negatively affect Iridium's future negotiations with potential and existing customers.

Under these circumstances, it is "virtually axiomatic" that the information qualifies for withholding under Exemption 4 of the Freedom of Information Act, *see National Parks and Conservation Ass'n v. Kleppe*, 547 F.2d 673, 684 (D.C. Cir. 1976), and under Sections 0.457(d)(2) and 0.459(b).

(6) *Identification of Measures Taken to Prevent Unauthorized Disclosure (Section 0.459(b)(6)).* Iridium limits access to performance and malfunction information to necessary personnel only. Also, Iridium takes every precaution to ensure that this information is not released to the general public.

(7) *Identification of Whether the Information is Available to the Public and the Extent of Any Previous Disclosure of Information to Third Parties (Section 0.459(b)(7)).* Iridium has not made the information in the Annual Report available to the public and has not disclosed the information to any third parties except pursuant to arrangements intended to maintain confidentiality.

(8) *Justification of Period During Which the Submitting Party Asserts that the Material Should Not be Available for Public Disclosure (Section 0.459(b)(8)).* Iridium respectfully requests that the Commission withhold the information in Section (a) of the Annual Report from public inspection indefinitely. This



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information will remain commercially sensitive until the satellite system is decommissioned.

Please contact the undersigned with any questions. Thank you for your assistance.

Sincerely,

/s/ Jennifer Hindin
Jennifer Hindin
Counsel for Iridium Constellation LLC

Encl: Confidential Annual Report
Public Redacted Annual Report

cc: Mindel De La Torre, Chief of the International Bureau

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In accordance with Section 25.170 of the Commission's Rules, Iridium provides the following information regarding the Iridium system as of May 31, 2015:

- a) **Identification of any space stations not available for service or otherwise not performing to specifications as of May 31, any spectrum within the scope of the part 25 license or market access grant that the space station is unable to use, the cause or causes of these difficulties, and the date any space station was taken out of service or the malfunction identified.**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- b) A current listing of the names, titles, addresses, email addresses, and telephone numbers of the points of contact for resolution of interference problems and for emergency response. Contact personnel should include those responsible for resolution of short term, immediate interference problems at the system control center, and those responsible for long term engineering and technical design issues.**

Thomas D. Hickey
Chief Legal Officer
1750 Tysons Boulevard, Suite 1400
McLean, VA 22102-4244
Thomas.Hickey@iridium.com
(703) 287-7411

- c) Status of satellite construction and anticipated launch dates, including any major problems or delays encountered.**

The constellation of 66 Space Vehicles (SVs) was complete as of November 1, 1998. As of May 31, 2015, the constellation consisted of 69 SVs, including 2 functional spares and a test asset that

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is not mission capable. New replacement satellites are under construction. The Iridium NEXT replacement constellation is scheduled to begin launching in October of 2015, with the remainder of the 72 SV (including spares) fleet expected to be launched during 2016 and 2017.