

8 September 2021

Subject: FCC Experimental License Request for Confidentiality

Reference: Application File 0777-EX-CN-2021

Top Aces Corp. (TAC) requests confidentiality of experimental license application number 0777-EX-CN-2021 to the extent allowed by the Commission's Rules, 47 C.F.R §0.459.

The radio operations proposed under this application are for radar system testing for research and development and operation in support of contracts for the U.S. Department of Defense (DoD). The Commission's Rules automatically protect sensitive information in the interest of National defense or foreign policy National security information from public disclosure under 47 C.F.R. §0.457, however additional information within the application and exhibits are outside the scope of the specific provisions of 47 C.F.R §0.457.

Therefore, TAC is seeking to protect the sensitive information submitted under the provisions of 47 C.F.R §0.459 and 47 C.F.R. §0.457(a)(1). The request for confidentiality is intended to protect National security interests, company proprietary and competition sensitive trade secrets related to the technology being used, the details of the integration, capabilities, and information related to DoD contracts which is not publicly available.

TAC requests that the Commission withhold from public view any information related to the use of spectrum, hardware identification, and all exhibits filed with this application. Protection of this information is necessary for TAC to meet obligations to its Department of Defense customers, as well as protecting TAC's competition sensitive trade secrets from public disclosure.

In accordance with the OET Electronic filing system requirements and the requirements of 47 C.F.R §0.459, an explanation of the request under the Commission's Rules is provided below.

Subsection (b)(1): Information for Confidential Treatment: All information in the exhibits to the application and as much of the application as possible, including the manufacturer, make, and model, is requested to be kept confidential. The detailed system information submitted to the Commission as a classified exhibit on US DoD form DD-1494 including the unclassified data is to be maintained confidential.

Subsection (b)(2): This application is submitted as required by law to seek authorization to operate, however the circumstances of the operation requires that this confidentiality request be filed in the interests of National security and to protect competition sensitive trade secrets.

Subsection (b)(3): The information is business proprietary and protected company competition sensitive trade secrets. Confidentiality of this application's information will prevent public disclosure of TAC's capabilities, strategies, and sources.

Subsection (b)(4): The U.S. DoD contracts are open to competition.

Subsection (b)(5): Public release of this information can damage or diminish a technical capability advantage.

Subsection (b)(6): Only this submission with the accompanying confidentiality request has been made public, the detailed information is safeguarded by the company. Information provided to the U.S. Government is made in accordance with 32 CFR 117 as applicable under form DD-1494.

Subsection (b)(7): The detailed information has not been released to the public through other means. The information is only available to individuals with the authority to access the information and under non-disclosure agreements. The information is not available to the public through other means.

Subsection (b)(8): National security requires that this information be kept confidential during processing, performance of government contracts, and for the duration of any license, and license renewal, that is issued.

Subsection (b)(9): N/A

Should the Commission be unable to grant this confidentiality request, the applicant requests that the Commission contact the applicant as soon as possible before publishing any information.



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