

## **Request for Confidential Treatment**

Pursuant to Sections 0.457(d) and 0.459 of the FCC Rules, 47 CFR §§ 0.457(d) and 0.459, the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”), and the Trade Secrets Act, 18 USC § 1905, Microsoft Corporation (“Microsoft”) respectfully requests that the information identified below not be placed in the public file and be otherwise withheld from public inspection.

**(1) Identification of the specific information for which confidential treatment is sought:**

Microsoft seeks confidential treatment for the exhibit entitled “Modification Narrative” attached to Microsoft’s application, ELS File No. 0044-EX-CM-2025, to modify an FCC experimental license (the “Confidential Information”).

**(2) Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission:**

The Confidential Information is being submitted in connection with Microsoft’s application to modify an FCC experimental license referenced above.

**(3) Explanation of the degree to which the information is commercial or financial, or contains a trade secret of privilege:**

The Confidential Information contains highly confidential commercial information, technical data, and trade secrets, the release of which would cause substantial harm to Microsoft by revealing to its competitors non-public information about Microsoft’s testing products and Microsoft products currently under development.

**(4) Explanation of the degree to which the information concerns a service that is subject to competition:**

The Confidential Information relates Microsoft’s plans relating to the mobile technologies and software markets, both of which are fiercely competitive. Microsoft and its competitors carefully guard information about products in development.

**(5) Explanation of how disclosure of the information could result in substantial competitive harm:**

The release of the Confidential Information would provide Microsoft's competitors with non-public information concerning Microsoft products currently under development and disclose confidential information about Microsoft's testing processes. This information, which is not made public by industry participants, could be used to disadvantage Microsoft in the marketplace.

**(6) Identification of any measures taken by the submitting party to prevent unauthorized disclosure:**

Microsoft treats the Confidential Information as confidential and proprietary. Information relating to Microsoft's products under development and its testing processes is made available only on a "need-to-know" basis to the extent necessary for the operation of its business. For example, all employees and contractors who use Microsoft's experimental systems are subject to non-disclosure agreements pursuant to their work for the company.

Microsoft will exercise strict control over the software and devices subject to its experimental testing to prevent any risk that such material could be identified or evaluated by a member of the public or a competitor.

**(7) Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties:**

To the best of Microsoft's knowledge, as of the date of this submission, the Confidential Information is not publicly available and has not been disclosed to third parties except under nondisclosure agreements or equivalent protections.

**(8) Justification of the period during which the submitting party asserts that material should not be available for public disclosure:**

Given the sensitive nature of the information contained therein, Microsoft requests that the Confidential Materials be withheld from public disclosure by the Commission for an indefinite period, or for the maximum permissible time. Even if the products in development ultimately are released, the Confidential Information would still reveal non-public and confidential information concerning Microsoft's product testing processes.