

JUSTIFICATION FOR CONFIDENTIALITY REQUEST

Related to STA File Number: 0548-EX-ST-2011
STA Confirmation Number: EL595156
Date of Submission: August 31, 2011

Submitted pursuant to 47 C.F.R §§ 0.457 and 0.459

Submitted on behalf of:

Navajo Tribal Utility Authority
PO Box 170
North Indian Route 12
Fort Defiance, AZ 86504
928-729-5721

1. Identification of the specific information for which confidential treatment is sought:

The information which requires confidential treatment is in two of the attached documents containing the latitude and longitude location of the Navajo Tribal Utility Authority's electric and communications Critical infrastructure. BOTH OF THE DOCUMENTS TO BE HELD CONFIDENTIAL ARE MARKED "CONFIDENTIAL—Not for Public Inspection." Other attached documents not so marked are public, including the consent letter from the Space Data Spectrum Holdings, LLC and a public version of one of the sensitive documents, which has simply redacted the Critical infrastructure information and is marked as "Public Version."

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

The Navajo Tribal Utility Authority (NTUA) submits this information as part of an application for Special Temporary Authority (STA) to conduct necessary radio testing of equipment and communications capabilities related to the implementation of the smart grid Advanced Metering Infrastructure (AMI) throughout NTUA's utility service area. The request for confidential treatment is sought to safeguard against the unnecessary disclosure of the location of NTUA's Critical infrastructure.

3. Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged:

The Navajo Tribal Utility Authority (NTUA) does not submit this information based on commercial or financial grounds, or because it contains trade secrets or privileged information. Rather, NTUA submits this information for confidential treatment because the information contains the specific latitude and longitudinal coordinates of NTUA's Critical infrastructure.

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

The information requested for confidential treatment does not directly concern a service that is subject to competition. Rather, NTUA submits this information for confidential treatment because the information contains the specific latitude and longitudinal coordinates of NTUA's Critical infrastructure.

5. Explanation of how disclosure of the information could result in the substantial competitive harm:

The information requested for confidential treatment does not directly concern a risk of competitive harm. Rather, confidential treatment is sought because disclosure of the information could be useful to terrorists in planning an attack on the Navajo Tribal Utility Authority's Critical infrastructure, the incapacity or destruction of which would negatively affect security, economic security, and/or public health or safety of residents of this country, and in particular, the residents of the Navajo Nation.

6. Identification of any measures taken by the submitting party to prevent unauthorized disclosure:

The information requested for confidential treatment is not available to the public.

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

The information requested for confidential treatment is not available to the public, and the Navajo Tribal Utility Authority has restricted the disclosure of the information requested for confidential treatment only to joint venture partners and only on an as-needed basis where the information is necessary to advance the utility or commercial interests of the Navajo Tribal Utility Authority.

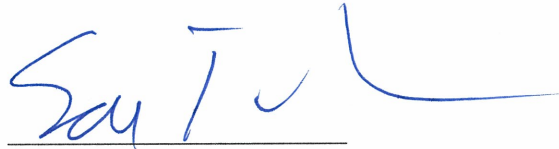
8. Justification of the period during which the submitting party asserts that material should not be available for public disclosure:

The Navajo Tribal Utility Authority requests that the information receive confidential treatment from public or third party disclosure indefinitely because of the indefinite and continuing risk of terrorism attacks to Critical infrastructure.

9. Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted:

[N/A]

Signed:


Seth T. Lucia

On behalf of
The Navajo Tribal Utility Authority

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