

# ORBCOMM®

2008 ANNUAL REPORT

June 30, 2008

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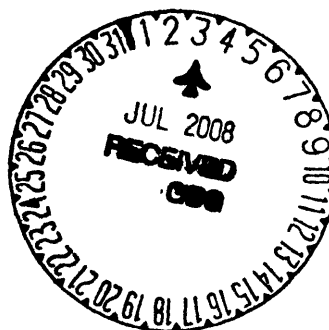
JUN 30 2008

Federal Communications Commission  
Bureau / Office

**CONFIDENTIAL, NOT FOR PUBLIC INSPECTION**

**VIA OVERNIGHT COURIER**

Federal Communications Commission  
Columbia Operations Center  
9200 Farmhouse Lane  
Columbia, Maryland 21046



Re: **ORBCOMM License Corp.**  
**FCC Call Sign S2103**

**Annual NVNG MSS Licensee Report**  
**47 C.F.R. §25.142(c)**

**REQUEST TO WITHOLD ATTACHED CONFIDENTIAL**  
**COMMERCIALY SENSITIVE MATERIALS FROM PUBLIC**  
**INSPECTION – 47 C.F.R. §§ 0.457(d) & 0.459**

Dear Sir or Madam:

Pursuant to Section 25.142(c) of the Commission's Rules, ORBCOMM License Corp. ("ORBCOMM"), hereby submits the attached Annual Report on the state of the ORBCOMM Non-Voice Non-Geostationary mobile satellite service ("NVNG MSS") satellite system (the "Annual Report"). The entire content of ORBCOMM's Annual Report is **CONFIDENTIAL, ORBCOMM PROPRIETARY, COMMERCIALY SENSITIVE TRADE SECRET** information.

Pursuant to Sections 0.457(d) and 0.459 of the Commission's Rules, ORBCOMM respectfully requests that the entirety of its Annual Report be accorded confidential treatment by the Commission and withheld from public inspection. The Annual Report contains proprietary trade secret commercially sensitive internal operational information that is not publicly disclosed by ORBCOMM, and thus should be treated as confidential by the Commission. Moreover, disclosure of this information would cause competitive harm to ORBCOMM by providing its competitors with detailed information on the capacity and operations of ORBCOMM's satellite system.

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Indeed, in adopting the NVNG MSS service rules, the Commission explicitly indicated that it would grant confidential treatment to information filed in accordance with Section 25.142(c) of its Rules.<sup>1</sup> Thus, ORBCOMM's Annual Report should be exempt from public disclosure pursuant to Section 0.457(d) of the Commission's Rules. However, due to the very sensitive nature of the information contained in the Annual Report, and out of an abundance of caution, ORBCOMM is also hereby requesting confidential treatment of its Annual Report pursuant to Section 0.459 of the Commission's Rules. Accordingly, grant of the instant request to withhold the attached materials from public inspection will serve the public interest, convenience and necessity.

Kindly direct any inquiries concerning this submission to the undersigned.

Very truly yours,



Walter H. Sonnenfeldt  
Vice President, Regulatory Affairs  
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E-Mail: [sonnenfeldt.walter@orbcomm.com](mailto:sonnenfeldt.walter@orbcomm.com)

Attachment: **CONFIDENTIAL** Submission

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<sup>1</sup> See *Amendment of the Commission's Rules to Establish Rules and Policies Pertaining to a Non-Voice, Non-Geostationary Mobile-Satellite Service*, 8 FCC Rcd 8450 (1993), at ¶ 11; *see, also*, *Amendment of the Commission's Rules to Establish Rules and Policies Pertaining to a Mobile Satellite Service in the 1610-1626.5/2483.5-2500 MHz Frequency Band*, 9 FCC Rcd 5936 (1994), at ¶ 195 (indicating that similar report required of Big LEO satellite systems would be treated as confidential and withheld from public inspection).