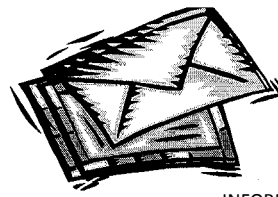


NHTSA ccmMercury Routing Slip

Printed: 2/24/2016

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)**NHTSA #: ES16-000804****XREF #:****Delivery: EML****Rec'd Date: 2/24/2016****Doc Type: CNG****Address To:****Referred By: NAD-200****Doc Date: 2/23/2016****Due Date: 3/24/2016****S10 #:****DOT/I #:****RMP #:**

**Subject: INQUIRY FROM CONGRESSMAN COURTNEY ON BEHALF OF CONSTITUENTS [REDACTED]
AND [REDACTED] RE A RECALL THAT SHOULD BE ISSUED FOR A 2012 FORD FIESTA**

Ack Date:**Sign Office: DIRECTOR,
GOVERNMENTAL AFFAIRS****Cleared Date:****File Loc:****Added By: CBUTLER x60180****Ack By:****Signature: ALISON PASCALE****Cleared By:****XREF File:****Modified By: Chris.Butler****Signed For:****Cleared For:****Closed Date:****Most Recent Comment:****Author:**

THE HONORABLE JOE COURTNEY
U.S. HOUSE OF REPRESENTATIVES
55 MAIN STREET, SUITE 250
NORWICH, CT 06360

Tel: 860-886-0139 **Fax:** 860-886-2974 **E-mail:**

Assigned To	Task	Asgn Date	Deadline	Returned Date
NGA-010	SIGN	2/24/2016		
NEF-010	REPLY	2/24/2016	3/24/2016	

RR

3116

SMD

Butler, Chris CTR (NHTSA)

From: Korkor, Julie (NHTSA)
Sent: Wednesday, February 24, 2016 8:14 AM
To: Butler, Chris CTR (NHTSA)
Subject: FW: Recalls for Vehicle
Attachments: [REDACTED] Letter.docx

Hello Chris,

Please control.

Thanks!

Julie

From: Caldwell, Megan (NHTSA)
Sent: Tuesday, February 23, 2016 11:52 AM
To: Korkor, Julie (NHTSA); Reid, Randy (NHTSA)
Cc: Pascale, Alison (NHTSA)
Subject: FW: Recalls for Vehicle

Hi Julie,

Please control.

Thanks,

Megan

From: Anderson, Taijah [<mailto:Taijah.Anderson@mail.house.gov>]
Sent: Tuesday, February 23, 2016 11:33 AM
To: Caldwell, Megan (NHTSA)
Subject: Recalls for Vehicle

Dear Ms. Caldwell:

Our office has received an inquiry from a constituent who would like a recall issued for a 2012 Ford Fiesta that he purchased for his daughter. He wrote a letter to our office requesting that we assist him. I have provided the information about how a recall process works and how he may register a complaint on your website. However he would like to hear directly from the National Highway Transportation Administration. I have attached the letter he submitted to our office as well as the response he has received from Ford customer service when he initiated contact with their company. Please let me know if there are any options we can provide for him or if there are any statistics regarding inquiries to recall this vehicle model? Thank you in advance for any information you can provide regarding this inquiry.

Sincerely,

Taijah Anderson
Staff Assistant
Congressman Joe Courtney (CT-02)

55 Main Street Suite 250 | Norwich, CT 06360

P: (860) 886-0139 | F: (860) 886- 2974 <http://courtney.house.gov/>

Sign up for Congressman Courtney's e-newsletter



Ford Motor Company
Customer Relationship Center
P.O. Box 6248
Dearborn, MI 48126

EXECUTIVE SECRETARIAT
RECEIVED-NHTSA

2016 FEB 24 A 9 07

[REDACTED]
N Stonington, CT [REDACTED]

January 14, 2016

Subject: 2012 Ford Fiesta, VIN 3FADP4EJ8CM [REDACTED] Case Nos. [REDACTED] Registered Owner:
[REDACTED]

To Whom It May Concern:

I am writing to inform you of our current situation with our 2012 Ford Fiesta. My wife and I purchased a 2012 Ford Fiesta as a college graduation present for our eldest daughter. We have long been loyal Ford customers, having purchased seven new vehicles over the years. My wife's brother was a Ford employee, thus we were able to take advantage of the A-Plan. Pricing aside, the A-Plan enabled us to easily purchase a vehicle without any hassle, and since our experience with Ford vehicles was a good one, we were solid, long-term customers. The few times where there was a problem, both our local dealership and Ford always did the right thing. Sadly, our experience with the Fiesta brings me to the unfortunate conclusion that Ford is not interested in doing right by its customers even in the face of overwhelming evidence that a problem exists with one of their products – unless forced to do so by the government or by order of the courts. This letter is my attempt to reach out and give Ford an opportunity to prove me wrong.

Over the last two years when a problem with the transmission in our Fiesta first became evident, we have given the benefit of the doubt to Ford starting with an initial reluctant acceptance of the statement "the shudder you are experiencing is normal for this transmission design," through two clutch replacements, a Transmission Control Module Replacement, a leaking transmission oil seal replacement, and numerous "reprogramming's" of the TCM sometimes coupled with an explanation that "we needed to drive the car for about a 1000 miles to allow the TCM to learn". We have always accepted these "attempts at repair" with a hope that Ford finally will find the root cause of the issue and fix it. My hopes have faded considerably that Ford will develop and install a fix. Our Fiesta has been in 13 times since January of 2014 either solely to address the transmission issue, or to address the transmission performance in conjunction with other issues or normal maintenance. My daughter drives the car most frequently and she has had two severe "near misses" on the highway due to sudden disengagement or lurching of the transmission. I personally experienced a severe issue while entering a highway and, on the same day, exiting the highway because of the car's behavior. Three other times, my daughter was stranded and the car had to be towed because it was not drivable. The transmission fails unpredictably, even after all the numerous times it has been "fixed" by Ford. Ford defines a fix as the transmission operating acceptably when the car is driven away from the dealership: If the same failure mode occurs one day, two days, or a month later, it is viewed upon as a "new" problem needing another "fix". My expectation is that when my vehicle comes in with a malfunction, that Ford understands the design basis of the transmission and understands EXACTLY what the failure mode is, knows which components must be replaced because they failed (as do a small percentage of any mass-produced parts), and I can trust

the car to be reliable especially with respect to the part or component that was just repaired. One failure is understandable; two failures less so; multiple clutch replacements, TCM replacements, constant fiddling with the TCM programming, etc. points to a DESIGN failure.

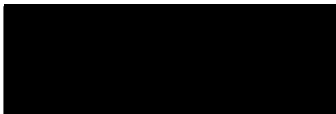
I want to be clear that Whaling City Ford has been very supportive and honest during our ordeal. The owners, Chuck Primus and Romana Strochlitz Primus have expressed their deep frustration with Ford corporate over the Fiesta and Focus Transmission issue. Nathan Gaucher, their general manager, stated that they have over 100 customers with similar problems with these transmissions. Ford's intransience with this issue is turning off an entire generation of entry-level car buyers who, having been burnt with this unreliable and dangerous product, might never purchase another Ford product again especially given Ford's complete lack of a permanent solution. I have called the customer support hotline multiple times looking for answers and support. I ended up speaking with a more senior representative, John McHale, who was very understanding about the situation and felt I had a very strong case to go to arbitration. He suggested that I write you at Ford Customer Relations as a final step before I decide to attempt arbitration or pursue other legal remedies. I live in Connecticut whose Lemon Law was narrowly written. John's opinion was that this does not fall under CT's lemon law. I do believe it should fall under breach of contract since Ford has NEVER repaired this transmission. Whatever was done has never resulted in the car being fully functional for more than a few weeks or months at a time. Certainly that can't fit anyone's definition of "repaired." The original case number associated with our Fiesta was [REDACTED]. Having been told by customer service that there was nothing more they could do despite the clear history of frequent failures, I requested a buyback. As a result, a new case number was opened [REDACTED]; the buyback request was denied.

I am a degreed and licensed mechanical engineer. I am very familiar with design and component failures. Jeff Janssen, Whaling City's service manager, has told me that the same transmission in the 2015 and later Fiesta's and Focus are very reliable and they are of the same basic design (Automatically controlled dry clutch). Such information only adds to my frustration because I do not believe that Ford's engineers "got lucky" with the new design. Fundamentally, they must have understood the failure mode of the earlier transmissions and corrected the design. If this is the case, then why hasn't my transmission been replaced? The only logical answer I can come to is that Ford deems the fix too expensive. To quote Lord Farquaad from the movie Shrek, "Some of you might die, but that is a risk I am willing to take." The incidents on the highway could have resulted in a severe accident. It is a real risk which you should not be willing to accept. I do not need a buyback: I need my car fixed. That is all I have ever asked. The buyback request is an option you may choose to exercise if you so desire: If however you choose not to buyback the car, fixing or replacing my transmission so that my car is reliable should NOT be optional.

I have been through nearly two frustrating years dealing with this issue, having held misplaced trust that Ford would do the right thing. As I write this letter, my car sits again at the dealership for over a week with no end in sight because there are 1200 clutch assemblies for these transmissions on back-order! There is a class action lawsuit in California against Ford dealing with this exact issue (Which I suspect works against me – After all, what you do for one you would need to do for all). How much more evidence will you need to admit the problem and fix it? Even as we were right in the middle of this

debacle, as our Fiesta sat for a week in Whaling City's service center, I purchased a brand new 2014 F150. I guess I am still an optimist against all evidence to the contrary – much like Charlie Brown and the football. This letter is my attempt to appeal to someone with more of an ethical compass than Volkswagen executives, with a hope that a reasonable and just solution will be found without Ford putting me through the additional time and aggravation of going through the arbitration process. As far as selling the car or trading it in, besides taking a significant monetary loss because the resale value reflects the well-known issues with this car, who am I to sell this car to in good conscience? If the dealership took this car in trade, to whom would they sell it?

As I close this letter, I want to remind you that we purchased this car as a graduation gift to my daughter. Ford has managed to take a beautiful gesture celebrating a wonderful achievement from a wonderful young woman, and turn it into a living "!" I cannot begin to express the frustration that my wife, daughter, and I all feel over this situation. My daughter wants in the worst way for her car to be reliable and allow her to not feel bad that the present her parents bought her turned out to be a tremendous source of aggravation. She was so excited when she received her car. She even named it "Reptar" in honor of its bright green color. My wife is sickened by this situation especially since she was a passenger in the car during one of the near-misses and when she thinks about what could still happen to our daughter. As for me; I feel incredibly angry that it is clear that we are being "bullied" by Ford because we are one small customer against the Ford Corporation. I feel sad that I have made a poor decision in purchasing this car for my daughter and powerless to fix this problem for my daughter like any good father, and I feel like a complete idiot for trusting that Ford will do the right thing for so long. How Ford can pretend that our situation is somehow acceptable is beyond reason. Please respond in a way that will justify my patience for the last two years. I can be contacted via the address above, via telephone at [REDACTED] or by email at [REDACTED]



Cc:

William Clay Ford, Jr. Executive Chairman	Mark Fields President & Chief Executive Officer	Frederiek Toney President, Ford Customer Service Division
Bob Fascetti VP Powertrain Engineering	Mark LaNeve VP U.S. Marketing, Sales & Service	Joseph Hinrichs Executive VP & President, The Americas
Moray Callum VP Design	Elena Ford VP Global Dealer & Consumer Experience	Raj Nair Executive VP Global Product Development & Chief Technical Officer