

November 15, 2005

Mr. Otto Matheke, Attorney,  
Office of Chief Counsel, NCC-110  
National Highway Traffic Safety Administration,  
400 Seventh Street, SW, Room 5219  
Washington, D.C. 20590

Subject: **NVS-213dsy; DP05-002**  
**Confidential Information**

Dear Mr. Matheke:

In accordance with 49 CFR 512.4, enclosed is a Toyota's response to NHTSA's September 27, 2005 letter concerning DP05-002, a defect petition regarding certain model year Toyota Camry, Camry Solara, and Lexus ES vehicles.

Toyota claims that the information contained in "Attachment 6," "Attachment 7," and "Attachment 8" herein contains confidential information, specifically the specifications and design changes related to the electronic throttle control system, antilock braking system, and the accelerator and brake control pedals.

Release of this confidential material would aid Toyota's competitors in learning details of Toyota's specification for the aforementioned systems, closely guarded information in the motor vehicle industry. Disclosure of this information would be likely to result in competitive harm. Therefore, Toyota requests that this material be treated permanently as confidential. Such information has historically been so recognized by the agency, and confidential treatment has been granted.

If this request and supporting affidavit are found to be insufficient to establish Toyota's entitlement to confidential treatment, we ask that, pursuant to 49 CFR 512.19, you afford us the opportunity to supplement this request.

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If you have any questions about these materials, please contact Mr. Chris Santucci at (202) 775-1707.

Sincerely,

Chris Tinto  
Vice President  
TOYOTA MOTOR NORTH AMERICA, INC.

CT:cs  
Enclosure

CERTIFICATE IN SUPPORT OF  
REQUEST FOR CONFIDENTIALITY

I, Chris Tinto, pursuant to the provisions of 49 CFR 512, state as follows:

- (1) I am Chris Tinto, Vice President, Toyota Motor North America, Inc., and I am authorized by Toyota Motor Corporation (Japan) to execute this certificate on its behalf;
- (2) I certify that the information contained in "Attachment 6," "Attachment 7," and "Attachment 8" in the response to NHTSA's September 27, 2005 letter [NVS-213dsy; DP05-002] is confidential and proprietary data and is being submitted with the claim that it is entitled to confidential treatment under 5 U.S.C. 552(b)(4) (as incorporated by reference in and modified by the statute under which the information is being submitted);
- (3) I hereby request that the information contained in "Attachment 6," "Attachment 7," and "Attachment 8" be protected permanently;
- (4) This certification is based on the information provided by the responsible Toyota Motor Corporation and affiliate personnel who have authority in the normal course of business to release the information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside Toyota Motor Corporation;
- (5) Based upon that information, to the best of my knowledge, information and belief, the information for which Toyota Motor Corporation and their affiliates have claimed confidential treatment has never been released or become available outside Toyota Motor Corporation or their affiliates;
- (6) I make no representations beyond those contained in this certificate and, in particular, I make no representations as to whether this information may become available outside Toyota Motor Corporation and their affiliates because of unauthorized or inadvertent disclosure (except as stated in paragraph 5); and
- (7) I certify under penalty of perjury that the foregoing is true and correct. Executed on this, the 15th day of November 2005.

Executed on this, the 15th day of November 2005.

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Chris Tinto  
Vice President  
TOYOTA MOTOR NORTH AMERICA, INC.