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March 22, 2011

BY HAND DELIVERY

Mr. O. Kevin Vincent
Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE, Room W41-227
Washington, DC 20590

Re: Request for Reconsideration of March 4, 2011
Partial Denial of Toyota's Request for
Confidential Treatment/TQ10-001, January 18,
2011 Submission

Dear Mr. Vincent:

Pursuant to 49 C.F.R. § 512.19, Toyota Motor Corporation ("TMC") and its affiliated companies (collectively, "Toyota") hereby seek reconsideration of a confidential treatment determination in TQ10-001. The determination, in the form of a letter to me from Otto G. Matheke, III, is dated March 4, 2011 and relates to the January 18, 2011 submission in TQ10-001. As explained below, Toyota is seeking reconsideration for the Japanese and English versions of a presentation and for cost information in a Market Impact Summary document.

DISCUSSION

A. TOY-TQ001-00059334.pdf and TOY-TQ001-00059366T-0001.pdf

As explained in Mr. Matheke's letter, NHTSA denied confidential treatment for a Japanese-language document with the file name TOY-TQ001-00059334.pdf. Mr. Matheke noted that, although Toyota sought confidential treatment for the entirety of the Japanese-language document, Toyota sought confidential treatment for only portions of the corresponding English-language translation, which has the file name TOY-TQ001-00059366T-001.pdf. Mr. Matheke also observed that Toyota's request for confidential treatment did not "identify which pages of the Japanese language document correspond to the pages claimed confidential in the English language version." Matheke Letter at 3. Because Mr. Matheke was unable to "identify the specific portions of the Japanese-language version that match the pages claimed confidential in the English version" (*id.*), NHTSA denied confidential treatment for the entirety of the Japanese-language document. In the table below and Appendix A, we remedy these issues.

First, in the table below, we have matched the Japanese-language confidential material to the corresponding English-language material. We request reconsideration of the denial of confidential treatment only for the designated material in the specified pages.

Mr. O. Kevin Vincent
 March 22, 2011
 Page 2

And second, in Attachment A, we are supplying the Japanese-language pages for which we *are* seeking reconsideration. Those pages have labels and/or brackets indicating the confidential material on each such page. For each Japanese-language page, we are supplying the corresponding English page immediately after the Japanese-language page. We also are supplying a disk with electronic copies of the pages containing confidential material from both the Japanese- and English-language versions of the presentation.

One other feature of the table below bears mentioning. In the last column of the table, we have provided justifications for the confidential treatment of the information. Such justifications seemed advisable because, although NHTSA did *not* deny confidential treatment for the English-language material in the TQ10-001 confidential treatment request at issue here, NHTSA *did* deny confidential treatment for the same material in a confidential treatment determination issued in RQ10-003 on March 14, 2011 (for a submission made one day after the TQ10-001 submission and containing the same presentation). Because we plan to seek reconsideration for the denial of confidential treatment for the English-language material in RQ10-003, and for the sake of ensuring consistent treatment of the material, we have thought it best to provide a justification for confidential treatment of the information at issue here.

Thus, the table below matches the Japanese-language confidential material with the corresponding English-language material, and sets forth a justification for the confidential treatment of each page at issue.

Material on page from TOY-TQ001-00059334.pdf	Corresponds to highlighted material on page from TOY-TQ001-00059366T-0001.pdf	Should Be Protected Because
Bracketed portion of TOY-TQ001-00059342	Highlighted portion of TOY-TQ001-00059366T-0009	Reveals how Toyota analyzes product issues and plans and develops product improvements, and provides information on how Toyota deploys resources to perform critical product evaluation and remedy activities. Release would enable competitors to replicate Toyota's processes and evaluate Toyota's operational capacities.

Mr. O. Kevin Vincent

March 22, 2011

Page 3

Material on page from TOY-TQ001-00059334.pdf	Corresponds to highlighted material on page from TOY-TQ001-00059366T-0001.pdf	Should Be Protected Because
TOY-TQ001-00059343	TOY- TQ001-00059366T-0010	Reveals the kind of studies performed by Toyota in connection with product evaluation and improvement efforts. Reveals insights into factors considered by Toyota in product improvement efforts. Release would enable competitors to obtain results of Toyota studies without investing, time, money, and effort in independent development, to improve their own components at less cost, and to evaluate Toyota's operational strengths.
TOY-TQ001-00059346	TOY-TQ001-00059366T-0013	Provides lead-time information, details of product improvement plans and rollout, and information about design objectives and goals. Disclosure would enable competitors to replicate Toyota's processes and evaluate Toyota's operational strengths.

Mr. O. Kevin Vincent

March 22, 2011

Page 4

Material on page from TOY-TQ001-00059334.pdf	Corresponds to highlighted material on page from TOY-TQ001-00059366T-0001.pdf	Should Be Protected Because
TOY-TQ001-00059348	TOY-TQ001-00059366T-0015	Reveals detailed information about items studied in product improvement efforts, as well as design objectives and considerations. Disclosure would provide competitors with insights into Toyota's design philosophy and processes, the design considerations relevant to the component at issue, and Toyota's operational strengths, saving them the time and money required for independent development and improving their ability to compete against Toyota.
Bracketed portion of TOY-TQ001-00059349	Highlighted portion of TOY-TQ001-00059366T-0016	Reveals assessments of third-party devices. Disclosure would save competitors the time, effort, and money required for independent studies, and would reveal the factors that Toyota considers important for the relevant functions, providing insights into Toyota's design philosophy and enabling competitors to improve their own components at less cost.

Mr. O. Kevin Vincent
 March 22, 2011
 Page 5

Material on page from TOY-TQ001-00059334.pdf	Corresponds to highlighted material on page from TOY-TQ001-00059366T-0001.pdf	Should Be Protected Because
TOY-TQ001-00059350	TOY-TQ001-00059366T-0017	Reveals detailed information about items studied in product improvement efforts, as well as design objectives and considerations. Disclosure would provide competitors with insights into Toyota's design philosophy and processes, the design considerations relevant to the component at issue, and Toyota's operational strengths, saving them the time, effort, and money required for independent development and improving their ability to compete against Toyota.
Bracketed portion of TOY-TQ001-00059351	TOY-TQ001-00059366T-0018	Reveals the elements of a product improvement plan, including studies undertaken and organizational responsibilities. Disclosure would reveal the factors considered by Toyota in product improvement processes as well as Toyota's overall product improvement strategies, which would enable competitors to evaluate Toyota's operational strengths, replicate Toyota's processes, and improve their own components at less costs.

Mr. O. Kevin Vincent

March 22, 2011

Page 6

Material on page from TOY-TQ001-00059334.pdf	Corresponds to highlighted material on page from TOY-TQ001-00059366T-0001.pdf	Should Be Protected Because
TOY-TQ001-00059353	TOY-TQ001-00059366T-0020	Reveals the factors studied in connection with component improvement efforts and the results of studies. Disclosure would save competitors the time, money, and effort required for independent studies, and would reveal the factors to be considered in improving the components at issue, enabling them to improve their own components at less cost.
TOY-TQ001-00059354	TOY-TQ001-00059366T-0021	Reveals the kind of studies performed by Toyota in connection with product evaluation and improvement efforts. Reveals insights into factors considered by Toyota in product improvement efforts. Release would enable competitors to obtain results of Toyota studies without investing, time, money, and effort in independent development, to improve their own components at less cost, and to evaluate Toyota's operational strengths.

Mr. O. Kevin Vincent
 March 22, 2011
 Page 7

Material on page from TOY-TQ001-00059334.pdf	Corresponds to highlighted material on page from TOY-TQ001-00059366T-0001.pdf	Should Be Protected Because
TOY-TQ001-00059355	TOY-TQ001-00059366T-0022	Reveals the kind of studies performed by Toyota in connection with product evaluation and improvement efforts. Reveals insights into factors considered by Toyota in product improvement efforts. Release would enable competitors to obtain results of Toyota studies without investing, time, money, and effort in independent development, to improve their own components at less cost, and to evaluate Toyota's operational strengths.
TOY-TQ001-00059356	TOY-TQ001-00059366T-0023	Reveals Toyota's design and development plans and strategies. Disclosure would reveal the factors considered important by Toyota for the component at issue and provide insights into Toyota's design strategies and how to improve the component at issue, saving competitors time, effort, and money in improving their own components.

Mr. O. Kevin Vincent

March 22, 2011

Page 8

Material on page from TOY-TQ001-00059334.pdf	Corresponds to highlighted material on page from TOY-TQ001-00059366T-0001.pdf	Should Be Protected Because
TOY-TQ001-00059361	TOY-TQ001-00059366T-0028	Reveals the results of comprehensive studies related to product improvement efforts. Disclosure would save competitors the time, money, and effort required for independent studies, enabling them to improve their components at less cost.
TOY-TQ001-00059363	TOY-TQ001-00059366T-0030	Reveals detailed analyses of issues related to product improvement processes. Disclosure would reveal the kind of analyses Toyota undertakes in improving its components, the results of such analyses, and the factors that Toyota deems significant, which would enable competitors to replicate Toyota's processes, save competitors the costs, time, and effort of independent studies, and enable them to improve their components at less cost.

Mr. O. Kevin Vincent
 March 22, 2011
 Page 9

Material on page from TOY-TQ001-00059334.pdf	Corresponds to highlighted material on page from TOY-TQ001-00059366T-0001.pdf	Should Be Protected Because
TOY-TQ001-00059364	TOY-TQ001-00059366T-0031	Reveals detailed analyses of issues related to product improvement processes. Disclosure would reveal the kind of analyses Toyota undertakes in improving its components, the results of such analyses, and the factors that Toyota deems significant, which would enable competitors to replicate Toyota's processes, save competitors the costs, time, and effort of independent studies, and enable them to improve their components at less cost.

We are not seeking reconsideration for any pages of TOY-TQ001-00059334.pdf and TOY-TQ001-00059366T-0001.pdf that are not referred to in the table above and not included in Attachment A and the accompanying disk. Specifically, we are not seeking confidential treatment for the pages in the English-language document that were not highlighted for confidential treatment. Consequently, we are not seeking reconsideration for the Japanese-language counterparts to these non-highlighted pages.

Finally, Toyota is no longer seeking confidential treatment for one of the English-language pages that *was* originally highlighted for confidential treatment: page TOY-TQ001-00059366T-0029. Accordingly, Toyota is not seeking reconsideration for the corresponding page of the Japanese version, which is TOY-TQ001-00059362.

B. Market Impact Summary Document

NHTSA also denied confidential treatment for the highlighted information on a Market Impact Summary with the file name TOY-TQ001-00059716.pdf. We request that the agency reconsider this determination solely with regard to the cost information that was highlighted in the document. In Attachment B, we are providing a copy of the page from the document containing the cost information. We have circled the cost information on that page.

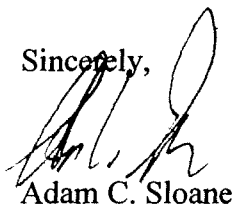
Mr. O. Kevin Vincent
March 22, 2011
Page 10

* * *

On page two of Mr. Matheke's letter, he states that Toyota's "request for confidential treatment for [certain] spreadsheet files is granted with the exception of those discussed below." We did not find any discussion of spreadsheets elsewhere in the letter and did not see any other indications in the letter that any spreadsheets had been denied confidential treatment. If any of the spreadsheets included with the January 18, 2011 TQ10-001 submission were denied confidential treatment, Toyota requests information about any such denials and a further opportunity to seek reconsideration for any such determinations.

If you have any questions or need further information, please do not hesitate to contact me.

Sincerely,



Adam C. Sloane

Enclosures