

**DELPHI**

Automotive Systems

NHTSA  
WASHINGTON, DC 20590

2003 APR 21 A 2:16

GL03-005a-001

April 15, 2003

OFFICE OF CHIEF  
COUNSEL

Jacqueline Glassman  
Office of the Chief Counsel  
NCC-113, RM5219  
National Highway Traffic  
Safety Administration  
400 Seventh Street, S.W.  
Washington, D.C. 20590

Reference: EA02-031 - 1997-2001 Corvette Electric Column Lock

Dear Ms. Glassman:

In a recent Engineering Analysis letter (EA02-031) addressed to Mr. J. T. Battenberg III, CEO of Delphi LLC, the Office of Defects Investigation has asked for certain information which, we at Delphi, consider to be confidential. Our request for confidential treatment of these materials follows.

Delphi has enclosed two sets of copies of the materials for which we are requesting confidential treatment as attachments to this letter. Accordingly, we request that the documents stamped "Delphi Confidential" included in this attachment be afforded confidential treatment by the NHTSA. This information is not customarily made public by Delphi and contains trade secrets and commercial information which is privileged or confidential under 5 U.S.C. Section 552 (b) (4), 49 CFR Part 512 and 49 U.S.C. Section 30167(a). A Certificate in support of the request for confidentiality follows this letter.

The Attachments contain Engineering Drawings, Product Requirements, Product Specifications, Test Plans, Test Procedures, FMEA's, PFMEA's, and Quality Control Plans. These materials have commercial value that can only be obtained independently at considerable cost. This information can be used by competitors to identify quality and performance problems or differences, thereby enabling them to improve their own products, without the expenditures associated with the evaluation of products, all at the expense of Delphi Automotive Systems. The Attachments contain commercial information, the disclosure of which would likely result in substantial competitive harm.

Delphi treats the above material as confidential proprietary information available only to authorized Delphi personnel and not otherwise available to the public. These documents are maintained under a record-keeping system which is intended to control dissemination of this material within Delphi, and to assure that it is not disseminated outside the Corporation, except as described in the attached certification made pursuant to 49 CFR Part 512.4(e).

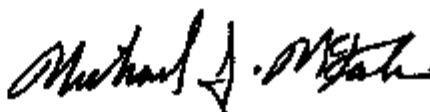
Some of the materials that are submitted herewith were also submitted in conjunction with the GM submission to investigation to EA02-031 and PE02-054; however, to the best of our knowledge, no prior determinations of the confidentiality of the majority of these documents have been made by the NHTSA, other Federal Agencies, or the Federal Courts. Documents such as the ones contained in the attachments, however, have, to the best of our knowledge, normally been granted confidential treatment by the NHTSA in the past. The materials in these attachments are of a type for which a class determination of confidentiality has been made under 49 CFR Part 512, Appendix B.

It is requested that notice concerning the Agency's determination of the confidentiality for these materials and any questions relating to confidentiality be addressed to Donald Parshall, Attorney, Delphi Legal Staff, MC 480-410-254, 5825 Delphi Drive, Troy, MI 48068-2815, Ph. 248-813-3367.

The documents subject to this request for confidentiality have been clearly stamped "Delphi Confidential". If a request for disclosure of any of all of this information is received by NHTSA, Delphi requests notification of receipt of each such request and, if necessary, an opportunity to further explain the reasons why such materials are trade secret and commercial information, and which therefore should not be disclosed under the applicable statutes and regulations.

If you require further information about this request, please do not hesitate to call me at 248-813-3362

Sincerely,

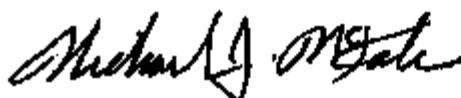


Michael J. McKale  
Manager  
Product Regulations and Investigations

**CERTIFICATE IN SUPPORT OF REQUEST FOR CONFIDENTIALITY**

I, Michael J. McKale, pursuant to the provisions of 49 CFR Part 512 state as follows:

- (1) I am Manager of Product Regulations and Investigations, and I am authorized by Delphi Automotive Systems Corporation (Delphi) to execute this document on its behalf.
- (2) The information stamped "Delphi Confidential" contained in Attachments to this document are confidential and proprietary data and are being submitted with the claim that it is entitled to confidential treatment of 5 USC S552 (b)(4), 49 U.S.C. Section 30167 (a) and implemented in 49 CFR Part 512;
- (3) I have personally inquired of the responsible Delphi 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 Delphi.
- (4) Based upon such inquiries to the best of my knowledge, information and belief, the information for which Delphi has claimed confidential treatment has never been released or become available outside Delphi, except as hereinafter specified: None.
- (5) 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 Delphi because of unauthorized or inadvertent disclosure except as stated in Paragraph 4; and,
- (6) I certify under penalty of perjury that the foregoing is true and correct. Executed on this the 15th day of April 2003.



Michael J. McKale  
Manager  
Product Regulations and Investigations

**GL03-005a-003**