



GENERAL MOTORS NORTH AMERICA  
Structure & Safety Integration

May 13, 2004

Jacqueline Glassman,  
Office of Chief Counsel  
NHTSA Safety Assurance  
Room #5219  
400 Seventh Street, S.W.  
Washington, D.C. 20590

GM-547 Supplement

NVS-213cha  
PE03-050

Dear Ms. Glassman:

Enclosed with this letter are three copies of General Motors' (GM) May 13, 2004 letter to Jeff Quandt, regarding alleged engine fuel rail assembly leaks in 1995 through 1997 Model Year (MY) Oldsmobile Aurora vehicles equipped with 4.0L V8 engines and Cadillac DeVille, Seville, and Eldorado vehicles equipped with 4.6L V8 engines. Two copies include the confidential documents and in the third the confidential information has been removed.

General Motors requests that the documents stamped "GM Confidential" included in electronic Attachment 2 CD GM Confidential; folder labeled "FPE Draft Entry Documents GM Confidential" and file name labeled "IPC RAPIDFAX GM Confidential" be afforded confidential treatment without a time limitation by the NHTSA. This information is not customarily made public by General Motors 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 30187(a).

The documents in the "FPE Draft Entry Documents GM Confidential" reflect GM's application of problem-solving methodologies and contain design information and field performance data having commercial value that can only be obtained independently at considerable cost. This information would give competitors insight into GM's methodologies and disclose confidential information about the design and performance of its products without it having to expend its own resources or to compensate GM for the knowledge it would gain. The disclosure of that commercial, proprietary information would likely result in substantial competitive harm.

Electronic Attachment 2 CD GM Confidential; file name labeled "IPC RAPIDFAX GM Confidential" reflects GM's application of field problem-solving methodologies and contain field performance data. This information would give competitors insight into GM's methodologies and disclose confidential information about the design and performance of its products without it having to expend its own resources or to compensate GM for the knowledge it would gain. The disclosure of that commercial, proprietary information would likely result in substantial competitive harm.

General Motors treats the above material as confidential proprietary information available only to authorized General Motors and supplier personnel and not otherwise available to the public. The document is maintained under a record-keeping system which is intended to control dissemination of this material within General Motors, 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).

To the best of our knowledge, no prior determinations of the confidentiality of these documents have been made by the NHTSA, other Federal Agencies, or the Federal Courts. Documents such as the ones contained in electronic Attachment 2 CD GM Confidential; folder labeled "FPE Draft Entry Documents GM Confidential" and file name labeled "IPC RAPIDFAX GM Confidential",

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GM-547 Supplement Confidentiality Cover Letter



however, have, to the best of our knowledge, normally been granted confidential treatment by the NHTSA in the past.

The corresponding electronic copies of these documents are being provided on a CD labeled "GM CONFIDENTIAL". If a request for disclosure of any or all of this information is received by the NHTSA, General Motors requests notification of receipt of each such request and, if necessary, an opportunity to further explain the reasons why such material is trade secret and commercial information which should not be disclosed under the applicable statutes and regulations.

Please contact me if you require further information about this request.

Sincerely,



Gay P. Kent  
Director  
Product Investigations

Attachments

**CERTIFICATE IN SUPPORT OF REQUEST FOR CONFIDENTIALITY**

**PE03-050 / GM647**

I, Gay P. Kent, pursuant to the provisions of 49 CFR Part 512, state as follows:

- (1) I am Director of Product Investigations of General Motors Corporation and am authorized to execute this certificate on its behalf.
- (2) I certify that the information contained in the documents identified in the letter dated May 13, 2004 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) and 49 C.F.R. Part 512.
- (3) I hereby request that the information be protected without a time limitation.
- (4) This certification is based on the information provided by the responsible GM personnel who have responsibility for the documents being provided to NHTSA for which a claim of confidentiality has been made.
- (5) Based on that information, to the best of my knowledge, information and belief, the information for which GM has claimed confidential treatment has never been released or made available outside GM and supplier or customer personnel.
- (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 GM because of unauthorized or inadvertent disclosure.
- (7) I certify under penalty of perjury that the foregoing is true and correct. Executed on this the 13<sup>th</sup> day of May 2004.



Gay P. Kent  
Director  
Product Investigations