

NVS-212  
S. Yon

Mr. James P. Vondale  
Ford Motor Company  
Automotive Safety Office, Fairlane Plaza South  
Environmental & Safety Engineering  
330 Town Center Drive  
Dearborn, MI 48126

FEB 12 2007

Re: Confidentiality Determination/EA04-034

Dear Mr. Vondale:

This responds to your January 31, 2007 letter requesting confidential treatment for materials submitted by Ford Motor Company (Ford) regarding alleged defects with wheels used on certain Ford Crown Victoria Police Interceptor vehicles. These materials were provided in response to an informal telephonic request from the agency's Office of Defects Investigation during January 2007. The materials are contained in a CD identified as Appendix A that contains a four-page document, dated January 18, 2007 ("Ctrl Lab Rpt 70116.pdf"). That document is identified as Report 70116 from Ford's Central laboratory. You request that this information be kept confidential for a period of ten (10) years.

I have decided to grant your request.

Ford provided this information voluntarily and was not required to submit this information under 49 U.S.C. § 30166 or other authority. Accordingly, I have reviewed your request under the principles set forth in *Critical Mass Energy Project v. Nuclear Regulatory Comm'n*, 975 F.2d 871 (D.C. Cir. 1992).

Under the test set forth in *Critical Mass*, financial or commercial information provided to the government on a voluntary basis is "confidential" for purposes of Exemption 4 of the Freedom of Information Act if it is the kind of information that would customarily not be released to the public by the submitter. Your certificate indicates that your response contains data that Ford does not customarily release or make available outside Ford. Accordingly, "Ctrl Lab Rpt 70116.pdf" will be withheld.

Subject to the conditions below, this grant of confidential treatment will remain in effect for ten (10) years.

This grant of confidential treatment is subject to certain conditions. The information may be disclosed under 49 CFR § 512.22 based upon newly discovered or changed facts, and you must inform the agency of any changed circumstances that may affect the protection of the information. 49 CFR § 512.10. If necessary, you will be notified prior to the release of any information under the procedures established by our regulations. 49 CFR § 512.22 (b).

Sincerely,

**Original Signed By**

Otto G. Matheke, III  
Senior Attorney

NHTSA:NCC111:Kido:02/8/2007:cyt  
NCC-113:Subj/Chron, mk, om, cyt **NCC07-000729**  
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