

# DAIMLERCHRYSLER

June 9, 2005

Ms. Jacqueline Glassman, Esq.  
Chief Counsel  
National Highway Traffic Safety Administration  
400 Seventh Street, S.W.  
Washington, DC 20590

DaimlerChrysler Corporation  
Stephan J. Speth  
Director  
Vehicle Compliance & Safety Affairs

Re: **Request for Confidential Treatment for Duplicate Videotapes Provided Associated with EA 04-025**

Dear Ms. Glassman:

DaimlerChrysler Corporation has submitted information to the Office of Defects Investigation relating to EA 04-025. In connection with that submission, DaimlerChrysler is submitting 3 duplicate videotapes associated with vehicle inspections to the Office of Chief Counsel and requesting that they be permanently protected from public release pursuant to 49 C.F.R. Part 512. Pursuant to your request, we are submitting the enclosed three videotapes which are identical to those submitted on May 25, 2005.

DaimlerChrysler has carefully reviewed its submission and has identified that the duplicate video recordings contain confidential information, the disclosure of which would cause competitive harm. The justifications for confidential treatment are set forth below.

### **Voluntary Submission:**

The information is entitled to protection because it is not customarily released to the public and was submitted voluntarily to the Agency. Release of the information is likely to deter DaimlerChrysler from voluntarily submitting such information in the future. See, *Critical Mass Energy Project v. Nuclear Regulatory Commission*, 975 F.2d 871 (D.C.Cir. 1992)(en banc).

The certification required by your regulations is attached to this letter. If you need any clarifications or additional information, please contact me at (248) 512-4188. If you receive a request for disclosure of these documents before you have completed your review of our claim for confidential treatment, DaimlerChrysler respectfully requests notification of the request and an opportunity to provide further justification for the confidential treatment of this information, if warranted.

Sincerely,



Stephan J. Speth

cc: Kathleen C. DeMeter

Attachment and Enclosure

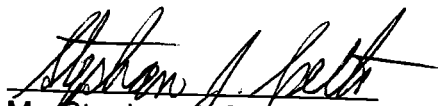
DaimlerChrysler Corporation  
800 Chrysler Drive CIMS 482-00-91  
Auburn Hills MI USA 48326-2757

Certificate in Support of Request for Confidentiality

I, Stephan J. Speth, pursuant to the provisions of 49 C.F.R. Part 512, state as follows:

- (1) I am DaimlerChrysler Corporation's Director, Vehicle Certification, Compliance and Safety Affairs and I am authorized by DaimlerChrysler to execute documents on behalf of DaimlerChrysler.
- (2) The information contained in the indicated documents is confidential and proprietary data and is being submitted with the claim that is entitled to confidential treatment under 5 U.S.C. 552 (b) (4).
- (3) I have personally inquired of the responsible DaimlerChrysler 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 DaimlerChrysler, except as to DaimlerChrysler suppliers with the understanding that such information be kept confidential.
- (4) Based upon such inquiries, to the best of my knowledge, information and belief the information for which DaimlerChrysler has claimed confidential treatment has never been released or become available outside DaimlerChrysler, except as stated in Paragraph 3; and
- (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 DaimlerChrysler because of unauthorized or inadvertent disclosure; and
- (6) I certify under penalty of perjury that the foregoing is true and correct.

Executed on this 9<sup>th</sup> day of June, 2005.

  
Mr. Stephan J. Speth

# DAIMLERCHRYSLER

May 25, 2005

Ms. Jacqueline Glassman, Esq.  
Chief Counsel  
National Highway Traffic Safety Administration  
400 Seventh Street, S.W.  
Washington, DC 20590

DaimlerChrysler Corporation  
Stephan J. Speth  
Director  
Vehicle Compliance & Safety Affairs

**Re: Request for Confidential Treatment for Videotapes Provided Associated with EA 04-025**

Dear Ms. Glassman:

DaimlerChrysler Corporation has submitted information to the Office of Defects Investigation relating to EA 04-025. In connection with that submission, DaimlerChrysler is submitting 3 videotapes associated with vehicle inspections to the Office of Chief Counsel and requesting that they be permanently protected from public release pursuant to 49 C.F.R. Part 512.

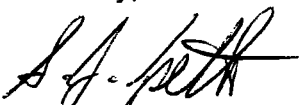
DaimlerChrysler has carefully reviewed its submission and has identified the video recordings that contain confidential information, the disclosure of which would cause competitive harm. The justifications for confidential treatment are set forth below.

**Voluntary Submission:**

The information is entitled to protection because it is not customarily released to the public and was submitted voluntarily to the Agency. Release of the information is likely to deter DaimlerChrysler from voluntarily submitting such information in the future. See, *Critical Mass Energy Project v. Nuclear Regulatory Commission*, 975 F.2d 871 (D.C.Cir. 1992)(en banc).

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Sincerely,

  
Stephan J. Speth

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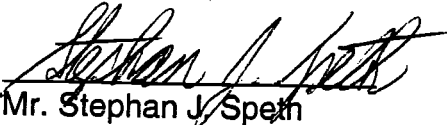
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- (4) Based upon such inquiries, to the best of my knowledge, information and belief the information for which DaimlerChrysler has claimed confidential treatment has never been released or become available outside DaimlerChrysler, except as stated in Paragraph 3; and
- (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 DaimlerChrysler because of unauthorized or inadvertent disclosure; and
- (6) I certify under penalty of perjury that the foregoing is true and correct.

Executed on this 25<sup>th</sup> day of May, 2005.

  
Mr. Stephan J. Speth