

# **VOLVO**

**Volvo Cars of North America, LLC**

September 3, 2004

Office of Chief Counsel  
National Highway Traffic Safety Administration  
400 Seventh Street, S.W., NCC-110, Room 5219  
Washington, D.C. 20590  
Attention: Otto Matheke

Re: RQ04-004 Confidentiality Request for Second Part of Submission, Dated September 3, 2004

Dear [REDACTED]

This letter and enclosures are hereby submitted to NHTSA in support of investigation RQ04-004.

The information being submitted is considered by Volvo to be confidential, and an affidavit to support that claim is enclosed.

We firmly believe that the release of this confidential information would compromise Volvo's position and make public Volvo proprietary information that could cause competitive harm to Volvo Car Corporation and to Volvo Cars North America, LLC (Volvo). This specific information (2 test reports, a status report, part sales data, an 8-D report, a tool change log, and letter dated September 3, 2004) has never been released to the public and there has never been the intention to release this to the public. Public release of this information could lead to misuse and misinterpretation of this data, compromising Volvo's position in the marketplace.

Therefore we request that the confidential information be treated within the meaning of confidential business information pursuant to 5USC 552(b)(4) and Section 112(e) of the National Traffic and Motor Vehicle Safety Act of 1966 as amended and implemented in 49 CFR Part 512.

In accordance with 49 CFR 512.4(a)(4), we are submitting two (2) copies of each of the above documents to your office containing the confidential information, and one (1) copy of each of the above documents to your office with the confidential information omitted.

Also, in accordance with 49 CFR 512.4(a)(1), each page containing confidential information has been marked "confidential", and in accordance with 49 CFR 512.4(a)(2), each item of confidential information has been placed within brackets "[ ]".

If you have any questions, please contact me at (201) 767-4772, or Diana Lidgett of my staff at (201) 768-7300 (ext. 7249).

Sincerely,

**VOLVO CARS OF NORTH AMERICA, LLC**  
Customer Service



William Shapiro, P.E.  
Manager, Regulations & Compliance

Enclosures

Volvo data (2 copies) containing confidential information  
Volvo data (confidential information omitted / public)  
Certificate in Support of Request for Confidentiality

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**CERTIFICATE IN SUPPORT OF REQUEST FOR CONFIDENTIALITY**

I, William Shapiro, pursuant to the provisions of 49 CFR Part 512, state as follows:

(1) I am Manager, Regulatory and Compliance and I am authorized by Volvo Cars of North America, LLC (VCNA) to execute documents on its behalf;

(2) VCNA documents (2 test reports, a status report, part sales data, an 8-D report and a tool change log and letter dated September 3, 2004) have been marked "Confidential," and consist of Volvo proprietary product information which is being submitted with the claim that it is entitled to confidential treatment pursuant to 5USC 552(b)(4) and Section 112(e) of the National Traffic and Motor Vehicle Safety Act of 1966, as amended and implemented in 49 CFR Part 512;

(3) I hereby request that the information referenced in (2) above be protected indefinitely.

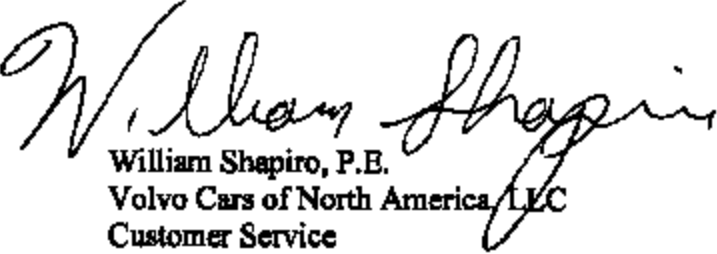
(4) I, or members of my staff, have personally inquired of the responsible VCNA personnel who have the authority, in the normal course of business to release the information for which a claim of confidentiality has been made, to ascertain whether such information has ever been released outside VCNA;

(5) Based upon such inquiries and to the best of my knowledge, information and belief, the information for which VCNA has claimed confidential treatment has never been released or become available outside VCNA, except as needed by VCNA to enter into appropriate confidentiality;

(6) I make no representations beyond those contained in the certificate and in particular, I make no representations as to whether this information may become available outside VCNA because of unauthorized or inadvertent disclosure; and

(7) I certify under penalty of perjury that the foregoing is true and correct, to the best of my information and belief.

Executed on this day, the 3rd of September 2004.

  
William Shapiro, P.E.  
Volvo Cars of North America, LLC  
Customer Service  
Manager, Regulatory and Compliance