

Ford Motor Company

Automotive Safety Office
Environmental and Safety Engineering

August 17, 2004

Mr. Scott Yon
Office of Defects Investigation
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

Dear Mr. Yon:

Subject: EA04-008:NVS-213dsy, NHTSA Request for Printed Part Drawings

Enclosed, per your request, please find a copy (one each) of the following drawings: 1C34-9F836-BB, 3C44-9F836-AD, 2C34-9F836-DG, and 3C34-9F836-BE. These drawings were provided electronically, in Appendix G, of the subject investigation.

Ford has previously requested confidential treatment for these drawings in our June 29, 2004 letter to the NHTSA Chief Counsel requesting confidentiality for certain materials submitted in response to NHTSA inquiry EA04-008. This drawing has also been labeled as confidential. A copy of Ford's request for confidentiality is attached for your convenience.

Should you have any questions, please contact me.

Sincerely,



P. D. Souchock
Manager,
Ford North America Safety Investigations
Global Automotive Safety Compliance

Attachment

OFFICE OF DEFECTS INVESTIGATION
NHTSA
2004 AUG 19 10 36 AM '04
FORD MOTOR COMPANY



Ford Motor Company

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Schedule Number: 27-03	

James P. Vondra, Director
Automotive Safety Office
Environmental & Safety Engineering

June 28, 2004

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

Dear Ms. Glassman:

Subject: Request Under 49 CFR Part 512 for Confidential Treatment of Information

Attached are two copies of information referenced in the Ford Motor Company (Ford) June 29, 2004 response to NHTSA's inquiry EA04-008:NVS-213day.

This letter provides support for Ford's claim of confidentiality in accordance with 49 CFR Part 512.8. Ford requests confidential treatment for those documents that contain privileged and confidential commercial information exempt from disclosure pursuant to 49 CFR § 512.15, 5 U.S.C. § 552(b)(4), and 49 U.S.C. § 30157.

Ford requests confidential treatment for the documents included in Appendices G, H, and I because the documents are not customarily released to the public by Ford and because the documents contain confidential business information, the disclosure of which would likely cause substantial competitive harm to Ford (as contemplated in 49 CFR § 512.15, 5 U.S.C. § 552(b)(4), and 49 U.S.C. § 30157). These documents contain the following types of information:

- A. Information concerning the internal process by which Ford and its suppliers study and resolve issues communicated to Ford by its customers. Such information was developed at the expense of Ford, and could be used by competitors to improve their own products and processes without the need to invest the substantial resources invested by Ford;
- B. Information concerning the financial impact to Ford of the underlying issue that could be used by competitors to identify quality issues and modify competitive strategies to the detriment of Ford;
- C. Information concerning Ford's analysis of warranty data that could be used by competitors to identify quality issues and modify competitive strategies to the detriment of Ford;
- D. Information concerning Ford's confidential business practices related to methods for recognizing and preventing future concerns, and other



commercially sensitive information reflecting Ford's internal business processes. Such information was developed at the expense of Ford, and could be used by competitors to improve their own products and processes without the need to invest the substantial resources invested by Ford.

- E. Information concerning assessments and evaluations conducted by suppliers or Ford that could be used by competitors to improve or modify their products, processes, or supplier base without the need to invest the substantial resources invested by Ford to develop the information.
- F. Information concerning detailed sales data that could be use by competitors to develop strategies and products to compete with Ford.
- G. Information concerning or revealing Ford's test specifications that could be used by competitors to improve their own products and processes without the need to invest the substantial resources invested by Ford.
- H. Engineering drawings, specifications, and failure mode effect analyses that could be used by competitors to develop or improve their own products and processes without the need to invest the substantial resources invested by Ford.

The following is a list of documents contained in Appendices G, H, and L that identifies to which of the above-enumerated categories each of the documents belong:

- PE03-044 38697 - 38707 - B, D, F
- PE03-044 38715 - 38730 - A, C, G
- PE03-044 38731 - 38739 - B, D, F
- PE03-044 38740 - 38742 - D, G
- PE03-044 38743 - 38759 - A, C, D, E
- PE03-044 38760 - 38779 - A, D, E, G
- PE03-044 38780 - 38793 - B, D, F
- PE03-044 38795 - D
- PE03-044 30098 - 30107 - A, B, D, E
- PE03-044 28310 - 28337 - A, C, E, G
- PE03-044 28277 - 28309 - C, D, E, G
- PE03-044 28624 - 28630 - A, G
- PE03-044 32601 - 32632 - A, C, E, G
- Appendix G
 - Detailed engineering drawings - H
 - Engineering specifications - A, H
 - Design failure mode effect analyses - A, H
- Appendix L
 - Engineering specifications - H

Ford requests confidential treatment for the documents included in Appendix I because they contain confidential and commercially sensitive information that is being provided to NHTSA voluntarily, and are not customarily released to the public by Ford. Ford asserts that the

documents included in Appendix I are being produced voluntarily because they are not construed by Ford as being encompassed within the scope of the underlying request.

The documents in Appendices G, H, I, and L contain commercial information and are exempt from disclosure pursuant to 49 CFR § 512.15, 5 U.S.C. § 552(b)(4), and 49 U.S.C. § 30167. If part of a page contains confidential information, the confidential portion has been bracketed by hand and marked with the letter "C", and the top margin has been stamped "CONFIDENTIAL." If an entire page of a hard copy or electronic document contains confidential information, it has been stamped "ENTIRE PAGE CONFIDENTIAL" along the margin. CD-ROMS containing confidential information have been identified as confidential by marking the label of the CD-ROM with the word "CONFIDENTIAL." These notations on the confidential documents were made as part of this response.

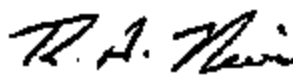
Ford documents of the types listed are maintained under a record keeping system which is intended to control dissemination of this material within Ford, and to assure that the material is not disseminated outside of Ford, except as described in the attached certification, which is made pursuant to 49 CFR Part 512.4(b). Neither NHTSA nor other Federal agencies nor Federal courts have made determinations relating to the confidentiality of the submitted information or similar information, to the best of our knowledge.

Certain documents provided in Appendices H and I contain supplier and Ford trade secret and/or commercial information provided to Ford by suppliers during the course of the internal process by which Ford and its suppliers study and resolve issues communicated to Ford by its customers. Documents of this type are maintained under a record keeping system which is intended to control dissemination of this material as described in the attached supplier certifications, which are made pursuant to 49 CFR Part 512.4(e). Dissemination of this material would cause substantial competitive harm to Ford and its suppliers if not granted confidential status. A Certificate in Support of Request for Confidentiality for documents supplied to Ford by Williams Controls, Inc. will be forwarded to NHTSA's Office of the Chief Counsel under separate cover.

Ford requests that these documents be granted confidential treatment by the agency for a period of ten years. Earlier disclosure of these documents, in Ford's opinion, would result in substantial competitive harm.

In the event that the agency should conclude that all or part of the submitted information is not to be given confidential treatment, Ford asks the agency to provide reasonable notice of not less than ten working days prior to any contemplated disclosure in order that Ford may pursue such legal remedies as it may choose. Please direct all notices to Paul Fablen, Ford Motor Company, Suite 1400, Parklane Towers West, Three Parklane Blvd., Dearborn, MI 48126, (313) 621-1856, or by e-mail at pfablen2@ford.com. Thank you for your continuing courtesy.

Sincerely,



James P. Vondale

Attachment

**CERTIFICATE IN SUPPORT OF REQUEST
FOR CONFIDENTIALITY**

I, R. A. Nevi, pursuant to the provisions of 49 CFR Part 512, state as follows:

1. I am Manager, Production Vehicle Safety and Compliance, Automotive Safety Office, and I am authorized by Ford Motor Company (Ford) to execute documents of this nature on behalf of Ford;
2. The information contained in the attachment to Ford's letter to NHTSA's Office of the Chief Counsel dated June 29, 2004 contains confidential and proprietary data and is submitted with the claim that it is entitled to confidential treatment under 5 U.S.C., § 552(b)(4);
3. A member of my staff has inquired of the responsible Ford personnel who have authority in the normal course of business to release the type of information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside Ford;
4. Based upon such inquiries, to the best of my knowledge, information and belief, the information for which Ford has claimed confidential treatment has never been released or become available outside Ford except as hereinafter specified:
 - Portions of these documents may have been or may be shared with Ford suppliers with the expectation that they will be kept confidential.
 - During the course of defending itself in litigation, Ford may have been, or may be required to produce such information.
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 Ford 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 29th day of June, 2004.



R. A. Nevi