



GENERAL MOTORS NORTH AMERICA  
Structure & Safety Integration

October 25, 2005

Steve Wood, Esq.  
Office of Chief Counsel  
NHTSA Enforcement  
Room 8219  
400 Seventh Street, S.W.  
Washington, D.C. 20590

GM-646B  
GM-870

NVS-214gb  
RQ04-012  
RQ04-010

Dear Mr. Wood:

In response to a request by Mr. Richard Boyd, General Motors is sending a three-page document that provides a preliminary summary of the results of testing conducted on tailgate support cables. The document is named "Tailgate Cable Confidential 09\_30\_05.doc." A copy of the information contained in this file is attached.

General Motors requests the document (file named "Tailgate Cable Confidential 09\_30\_05.doc." stamped "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 30167(a).

To the best of our knowledge, no prior determination of the confidentiality of this document has been made by the NHTSA, other Federal Agencies, or the Federal Courts. The information in the e-mail is of a type for which a class determination of confidentiality has been made under 49 CFR Part 512, Appendix B. Documents containing information pertaining to GM's test procedures, results of product development, performance testing, and material elemental analysis normally have been granted confidential treatment by the NHTSA in the past.

GM requests confidential treatment of the information in this document because it includes trade secrets, disclosure of which would cause substantial competitive harm. GM submits that the competitive harm would be substantial, because the design and manufacture of vehicles and vehicle components are the core of its business and because global competition in that business is intense.

The development of test procedures involves time, effort, and skill. Knowledge of how GM tests and evaluates a product would give a competitor valuable information that it would otherwise have to spend its time and money to develop, and therefore would deprive GM of the competitive advantage of its efforts without any compensation. These test procedures, test results, and material composition data would give competitors insight into GM's methodologies and business practices for evaluating its products and selecting component materials.

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(a).

Product Investigations  
Mail Code: 480-108-904 • 30200 Mound Road • Warren, MI 48090-9010  
09/25/05\_082879 Confidentiality Request RBoyd Steve Wood



The documents subject to this request for confidentiality are being provided and have been clearly stamped "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

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 document identified in the letter dated October 25, 2005 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 25<sup>th</sup> day of October 2005.

  
\_\_\_\_\_  
Gay P. Kent  
Director  
Product Investigations



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