

NUS-212  
P. Ong

DEC - 8 2006

Keith S. Schultz  
Manager, Product Investigations  
General Motors North America  
Mail Code: 480-111-E18  
30200 Mound Rd.  
Warren, MI 48090

Re: Confidentiality Determination/EA06-001

Dear Mr. Schultz:

This responds to your September 25, 2006, letter requesting confidential treatment for materials submitted by General Motors North America (GM). The materials consist of a presentation that GM voluntarily provided to the agency on September 14, 2006. The presentation related to EA06-001, which concerns sunroof breakage in model years 2004-2006 Cadillac SRX vehicles. Specifically, GM requests confidential treatment for the materials on a CD labeled "Attachment 2 CD GM681A Supplement 1 Confidential" with bracketed material marked "GM Confidential." GM requests that the information be granted confidential treatment without a time limitation.

Your letter and accompanying certificate indicate that the information provided is confidential and proprietary data that has never been released or made available outside GM and supplier or customer personnel.

I am granting your request.

GM 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 the data contained in your response is data that GM has never released or become available outside GM except as specified. Accordingly, I am granting confidential treatment to the information contained in your submission.

This grant of confidential treatment will remain in effect indefinitely, 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,



Otto G. Matheke, III  
Senior Attorney

NHTSA:NCC-113:Matheke: 61834:12/01/06:pl  
NCC-113:Subj/Chron NCC06-006214  
NVS-212: - Peter Ong w/enclosures.  
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