

NVS-212
M. Swanson
12/7/06

DEC 7 2006

Stephan J. Speth
Director, Vehicle Safety & Regulatory
DaimlerChrysler Corporation
800 Chrysler Drive
CIMS 482-00-91
Auburn Hills, MI 48326-2757

Re: DaimlerChrysler Request for Confidential Treatment for Information
Provided in Response to EA06-015 (Dodge Durango Instrument Panel Fires)

Dear Mr. Speth:

This responds to your letters dated November 10 and 15, 2006, in which you request confidential treatment for information submitted by DaimlerChrysler Corporation (DCC) in response to the above agency request. The information in your submission is contained on a two CD-ROMs identified as "EA06-015 DaimlerChrysler Corporation Nov. 10, 2006" and "MC33888 Analysis of Thermal Run-away Experiment August 16, 2006". Two copies of each of these disks were provided by DCC. DCC requests that the information contained in subfolders identified as Enclosures 14 through 24 within the folder labeled "Enclosure 6 Confidential Docs" be granted permanent confidential treatment.

The enclosures are identified as follows:

- Enclosure 14 Confidential-Load Studies;
- Enclosure 15 Confidential--HB Analysis report;
- Enclosure 16 Confidential--Meeting Minutes;
- Enclosure 17 Confidential--Test Plan;
- Enclosure 18 Confidential--Test Results;
- Enclosure 19 Confidential--DVP&R's;
- Enclosure 20 Confidential--Specifications;
- Enclosure 21 Confidential--Hot Trip Report;
- Enclosure 22 Confidential-Black Belt PS;
- Enclosure 23 Confidential-Test Report; and
- Enclosure 24 Confidential-- Failure Simulation DVD.

Your letter and accompanying certificates (including those from Freescale Semiconductor, Inc. and Siemens VDO Automotive Corporation) indicate that the information provided is confidential and proprietary data that DCC and its suppliers do not, and have not, released to the public. The information reveals testing processes and analyses, developmental testing, manufacturing processes and problem solving techniques, diagnostic protocols and performance standards. You state that release of these materials would cause DCC to suffer competitive harm.

Your request is granted.

DCC submitted this data in response to a formal NHTSA request for information. Because DCC was required to submit this information, I reviewed your claim for confidential treatment under the test announced in *National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974), and its progeny. Under *National Parks*, information is confidential if its disclosure would be likely to cause substantial competitive harm to the submitter or to impair the government's ability to collect the information in the future. The information provided by DCC, as described above, would be likely to cause DCC to suffer substantial competitive harm since it would reveal detailed developmental, manufacturing and analytical processes followed by DCC and its suppliers. Accordingly, I am granting your request.

Subject to the conditions below, this grant of confidential treatment will remain in effect indefinitely.

This grant of confidential treatment is 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,

Original Signed By

Otto G. Matheke, III
Senior Attorney

NHTSA:NCC-111:Kido:12/5/06:
NCC-113 Subj/Chron, **NCC06-007320**
Info: NVS-212: M. Swanson w/enclosures (2 copies of 2 confidential CD-ROMs and 1 public CD-ROM
Confidentiality/Misc06/DCC06-007320.mk.doc