

NVS-213
J. Guardt ✓

MAY 31 2006

Gay P. Kent, Director
Product Investigations
General Motors North America
Structure & Safety Integration
Mail Code 480-111-E18
30200 Mound Road
Warren, MI 48090-9010

Re: GM Request for Confidential Treatment for Information in Response to
PE06-006 – 2000-2003MY Saturn L- Series Vehicles, 2002-2003MY Saturn
Vue Vehicles, and 2003MY Saturn Ion Vehicles Equipped with the 2.2L
Engine (L61) Manufactured for Sale or Lease in the United States

Dear Ms. Kent:

This responds to your April 28, 2006 letter requesting confidential treatment for information submitted by General Motors North America (GM) in response to the above agency information request. The information in your submission, consisting of a summary of various weibull warranty analyses, is contained on a single CD-ROM disk identified as "GM686 Supplement 1 PE06-006, Attachment 1 Reply Date: 04/28/2006". GM requests confidential treatment for its submission indefinitely.

GM asserts the information in its submission contains trade secrets and commercial information and the disclosure of which, would cause substantial competitive harm. GM contends the information discloses GM's application engineering business process for engineering judgment, analysis methodologies and action. This information would give GM's competitors insight into its methodologies and disclose confidential information about the design and performance of its products, without spending their own resource compensating GM for the knowledge they would gain.

I am granting your request.

Because this information was not submitted voluntarily, I have reviewed your submission under the competitive harm standard announced in *National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974) and its progeny. Under that test, information is confidential under Exemption 4 of the Freedom of Information Act, 5 U.S.C. § 552(b)(4), 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 weibull analyses contained on the CD-ROM consist of different graphs and charts summarizing and manipulating warranty data. While use of weibull analyses is relatively common within the automotive industry, I have determined that release of this weibull analysis, due to its sophistication, would be likely to cause GM to suffer competitive harm.

This grant of confidential treatment will remain in effect indefinitely. However, it 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-113(Transtecs)jj: 05/30/06:cyt
NCC-113 Subj/Chron, jj, om, cyt NCC06-002635
NVS-213 Jeffrey Quandt w/enclosure
Misc06/GM06-2635jj.doc



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Office of Chief Counsel

GM Reply Date: April 28, 2006

GM-686 Supplement 1 Book 1 of 1

NHTSA # PE06-006 NHTSA Office of Chief Counsel

Confidential Complete #1

Subject Vehicle: 2000-2003MY Saturn L-series vehicles, 2002-2003MY Saturn Vue vehicles, and 2003MY Saturn Ion vehicles equipped with the 2.2L engine (L61) manufactured for sale or lease in the United States.

Subject Component: The scope of this investigation is the timing chain assembly (timing chain, oil nozzle, tensioner, and guides) as the primary contributory factor for the engine stall on subject vehicles.

- Tab (1).....GM Response Letter to NHTSA
- Tab (2).....GM Confidentiality Letter
- Tab (3)..... Attachment 1 GM Confidential Material (1) CD
- Tab (4)..... Attachment 2 Material (1) CD