

TOYOTA
TOYOTA MOTOR NORTH AMERICA, INC.

WASHINGTON OFFICE
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December 20, 2006

Mr. Anthony M. Cooke, Chief Counsel
Office of Chief Counsel, NCC-110
National Highway Traffic Safety Administration
400 Seventh Street, SW, Room 5219
Washington, D.C. 20590

OFFICE OF CHIEF COUNSEL
DEC 21 P 4:01
2006

Subject: NVS-213dsy; DP06-003
Confidential Information

Dear Mr. Cooke:

In accordance with 49 CFR 512.4, enclosed is Toyota's response to NHTSA's October 30, 2006 letter concerning DP06-003, a defect petition currently being reviewed by the Office of Defects Investigation.

Toyota claims that the marked portions of the information contained in all of the documents enclosed as part of "Attachment-Response 6" contains confidential and proprietary information regarding the electronic throttle control system of the subject vehicle, which if released, could cause competitive harm. Toyota requests that this material be treated confidentially permanently. Release of this information would aid competitors in learning details and specifications about the electronic throttle control system, and would not have access to this information without significant expense and investment or reverse engineering.

If this request and supporting affidavit are found to be insufficient to establish Toyota's entitlement to confidential treatment, we ask that, pursuant to 49 CFR 512.19, you afford us the opportunity to supplement this request.

Enclosed you will find three sets of the response documents. Per 49 CFR 512, one set of documents contains the complete response including the confidential information, one contains the response with the confidential information removed, and one contains only the confidential information.

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If you have any questions about these materials, please contact Mr. Chris Santucci at (202) 775-1707.

Sincerely,



Chris Tinto
Vice President
TOYOTA MOTOR NORTH AMERICA, INC.

CT:cs

Enclosures

Enclosure 1:

Response to ODI Inquiry –Confidential Information Included

Enclosure 2:

Response to ODI Inquiry –Confidential Information Removed

Enclosure 3:

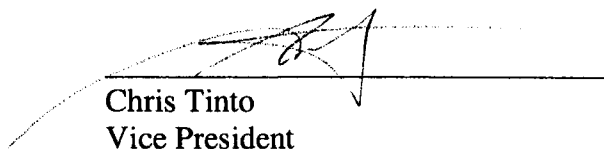
Response to ODI Inquiry –Confidential Information Only

CERTIFICATE IN SUPPORT OF
REQUEST FOR CONFIDENTIALITY

I, Chris Tinto, pursuant to the provisions of 49 CFR 512, state as follows:

- (1) I am Chris Tinto, Vice President, Toyota Motor North America, Inc., and I am authorized by Toyota Motor Corporation (Japan) to execute this certificate on its behalf;
- (2) I certify that the information contained in "Attachment-Response 6," in the response to NHTSA's October 30, 2006 letter [NVS-213dsy; DP06-003] 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) (as incorporated by reference in and modified by the statute under which the information is being submitted);
- (3) I hereby request that the information contained in "Attachment-Response 6" be protected permanently;
- (4) This certification is based on the information provided by the responsible Toyota Motor Corporation and affiliate personnel who have authority in the normal course of business to release the information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside Toyota Motor Corporation;
- (5) Based upon that information, to the best of my knowledge, information and belief, the information for which Toyota Motor Corporation and their affiliates have claimed confidential treatment has never been released or become available outside Toyota Motor Corporation or their affiliates;
- (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 Toyota Motor Corporation and their affiliates because of unauthorized or inadvertent disclosure (except as stated in paragraph 5); and
- (7) I certify under penalty of perjury that the foregoing is true and correct. Executed on this, the 20th day of December 2006.

Executed on this, the 20th day of December 2006.


Chris Tinto
Vice President
TOYOTA MOTOR NORTH AMERICA, INC.

Enclosure 3:

Response to ODI Inquiry –Confidential Information Only