



James P. Vondale, Director
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July 14, 2006

Mr. Anthony Cooke
Chief Counsel
National Highway Traffic Safety Administration
Room 5219
400 Seventh Street, S.W.
Washington, D.C. 20590

RECEIVED
NHTSA
JUL 14 2006
OFFICE OF THE CHIEF COUNSEL

Dear Mr. Cooke:

Subject: Request Under 49 CFR Part 512 for Confidential Treatment of Information

Two copies of confidential information referenced in the Ford North America (Ford) July 14, 2006, response to the agency's May 16, 2006 inquiry, NVS-212-pco EA06-001PIR, are attached. Also attached for your reference is a copy of the non-confidential portion of Ford's response to the ODI's information request.

This letter provides support for Ford's claim of confidentiality in accordance with 49 CFR Part 512.8. Ford requests confidential treatment for the bracketed portions of the attached documents because the information is not customarily released to the public by Ford and because the documents contain confidential business information, the disclosure of which would likely cause substantial competitive harm to Ford (as contemplated in 49 CFR § 512.15, 5 and U.S.C. § 552(b)(4)). In response to direction provided by your office concerning prior confidentiality submissions, the confidential documents in this submission are organized into categories as set forth in Attachment I. *where appropriate*

Information of the types listed are maintained under a record keeping system which is intended to control dissemination of this material within Ford, and to assure that the material is not disseminated outside of Ford, except as described in the attached certification, which is made pursuant to 49 CFR Part 512.4(b). Neither NHTSA nor other Federal agencies nor Federal courts have made determinations relating to the confidentiality of the submitted information or similar information, to the best of our knowledge. Documents provided electronically in Appendix F have been stamped "CONFIDENTIAL" in the top margin, as part of this response.

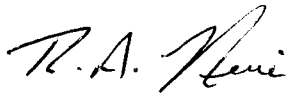
Ford requests that these documents be granted confidential treatment by the agency for a period of ten years. Earlier disclosure of these documents, in Ford's opinion, would result in substantial competitive harm.



In the event that the agency should conclude that all or part of the submitted information is not to be given confidential treatment, Ford asks the agency to provide reasonable notice of not less than ten working days prior to any contemplated disclosure in order that Ford may pursue such legal remedies as it may choose. Please direct all written notices to me at Ford Motor Company, Suite 500, Fairlane Plaza South, 330 Town Center Drive, Dearborn, Michigan 48126. Please direct all non-written communication to Mr. Paul Fabien who may be contacted by telephone at (313) 621-1656.

Thank you for your continuing courtesy.

Sincerely,



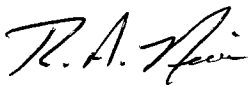
James P. Vondale

Attachment

**CERTIFICATE IN SUPPORT OF REQUEST
FOR CONFIDENTIALITY**

I, R. A. Nevi, pursuant to the provisions of 49 CFR Part 512, state as follows:

1. I am Assistant Director, Global Automotive Safety Compliance, Automotive Safety Office, and I am authorized by Ford Motor Company (Ford) to execute documents of this nature on behalf of Ford;
2. The information contained in the attachment to Ford's letter to NHTSA's Office of the Chief Counsel dated July 14, 2006, contains confidential and proprietary data and is submitted with the claim that it is entitled to confidential treatment under 5 U.S.C., § 552(b)(4);
3. A member of my staff has inquired of the responsible Ford personnel who have authority in the normal course of business to release the type of information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside Ford;
4. Based upon such inquiries, to the best of my knowledge, information and belief, the information for which Ford has claimed confidential treatment has never been released or become available outside Ford except as hereinafter specified:
 - Portions of these documents may have been or may be shared with Ford suppliers with the expectation that they will be kept confidential.
 - During the course of defending itself in litigation, Ford may have been, or may be required to produce such information.
5. 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 Ford because of unauthorized or inadvertent disclosure, except as stated in Paragraph 4; and
6. I certify under penalty of perjury that the foregoing is true and correct. Executed on this the 14th day of July 2006.



R. A. Nevi

FORD MOTOR COMPANY (FORD) RESPONSE TO EA06-001

Ford's response to this Engineering Analysis peer vehicle information request was prepared pursuant to a diligent search for the information requested. We would be pleased to meet with agency personnel to discuss any aspect of this peer vehicle information request.

The scope of Ford's investigation conducted to locate responsive information focused on Ford employees most likely to be knowledgeable about the subject matter of this inquiry and on review of Ford files in which responsive information ordinarily would be expected to be found and to which Ford ordinarily would refer, as more fully described in this response. Ford notes that although electronic information was included within the scope of its search, Ford has not attempted to retrieve from computer storage electronic files that were overwritten or deleted. As the agency is aware, such files generally are unavailable to the computer user even if they still exist and are retrievable through expert means. To the extent that the agency's definition of Premier Auto Group (redefined throughout as Ford) includes suppliers, contractors and affiliated enterprises for which Ford does not exercise day-to-day operational control, we note that information belonging to such entities ordinarily is not in Ford's possession, custody or control. Ford has construed this request as pertaining to vehicles manufactured for sale in the United States, its protectorates and territories. Please note that the Premier Automotive Group is not a legal entity but is a designation used to describe a segment of the Ford Motor Company automotive business involving the sale of Volvo, Jaguar, Land Rover, and Aston Martin vehicles and related services and parts. As noted above, references to Premier Automotive (or Auto) Group have been read to mean Ford Motor Company, or Land Rover, as appropriate.

In a June 7, 2006, telephone conversation, Mr. Thomas Cooper of the agency informed Ford personnel that the peer vehicles in this inquiry should not include 2004-2006 Land Rover Discovery vehicles as their dual sunroof configuration did not meet the agency's criteria for a peer panoramic roof system. Ford also notes that the LR3 was first introduced in the 2005 model year.

Answers to your specific questions are set forth below. As requested, after each numeric designation, we have set forth verbatim the request for information, followed by our response. Unless otherwise stated, Ford has undertaken to provide responsive documents dated up to and including May 16, 2006, the date of your inquiry. Ford has searched applicable business units and/or affiliates within the following offices for responsive documents: Land Rover Marketing Sales and Service, Land Rover Quality, Office of the General Counsel, Land Rover Vehicle Operations, and Land Rover Product Development.

Request 1

State, by model, model year and each sunroof configuration, the number of subject peer vehicles Premier Auto Group has manufactured for sale or lease in the United States.

Provide the table in Microsoft Excel 2000, or a compatible format, entitled "PRODUCTION DATA."

Answer

All LR3 vehicles come equipped with a fixed glass "Alpine" roof and separate sunroof as standard equipment. The approximate total number of subject peer vehicles built for sale or lease in the United States (the 50 states and the District of Columbia) and its protectorates and territories (American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and Virgin Islands) is provided

electronically in Appendix A (filename: 2006-07-14_Appendix A—PRODUCTION DATA) on the enclosed CD.

Request 2

State the number of each of the following (in a table format) by each model, model year, sunroof configuration and the specific sunroof section or panel, received by Premier Auto Group, or of which Premier Auto Group is otherwise aware, which relate to, or may relate to, the subject condition in the subject peer vehicles:

- a. Consumer complaints, including those from fleet operators;
- b. Field reports, including dealer field reports;
- c. Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
- d. Property damage claims (including own vehicle); and
- e. Third-party arbitration proceedings where Premier Auto Group is or was a party to the arbitration; and
- f. Lawsuits, both pending and closed, in which Premier Auto Group is or was a defendant or codefendant.

For subparts "a" through "d," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a consumer complaint, field report (duplicate) and a crash report (duplicate)), but the duplicated reports shall be identified.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "MANUFACTURER REPORT COUNT."

Answer

For purposes of identifying reports of incidents potentially involving glass breakage of the fixed Alpine glass and/or separate sunroof while the vehicle is being driven and any related documents, Ford has gathered "owner reports" and "field reports" maintained by Land Rover's Customer Service Division and claim and lawsuit information maintained by the Ford's Office of the General Counsel (OGC).

Descriptions of the owner and field report systems and the criteria used to search each of these are provided electronically in Appendix B (filename: 2006-07-14_Appendix B) on the enclosed CD.

The following categorizations were used in the review of reports located in each of these searches:

- Category A: Allegations of breakage of the fixed Alpine glass and/or separate sunroof glass while the vehicle is being driven

Category B: Allegations that are ambiguous as to whether breakage of the fixed Alpine glass and/or separate sunroof glass occurred while the vehicle was being driven*

*We are providing counts of these reports as "non-specific allegations" because of the scope of the request. Based on our engineering judgment, the information in these reports is insufficient to support a determination that they pertain to the subject condition. Ford notes that the agency is investigating allegations of shattering of a glass roof panel on certain Cadillac vehicles while being driven, resulting in injuries from falling glass fragments. Consistent with the agency's request, Ford confined its searches to reports that are consistent with fixed Alpine and/or separate sunroof glass breakage on the subject peer vehicles while being driven and is not providing reports that simply relate to observations of a stress fracture or crack in a glass panel with no allegation of glass breakage while driving.

Owner Reports: The search and review of the Land Rover Customer Assistance Tracking System (CATS) database records, as described in Appendix B, identified no owner reports of the subject condition in the subject peer vehicles.

Legal Contacts: Ford is providing in Appendix B a description of Legal Contacts and the activity that is responsible for this information, Consumer Affairs. With regard to this specific inquiry, no Legal Contact owner reports were found to relate to this subject.

Field Reports: The number of field reports identified in a search and review of the Land Rover Electronic Product Quality Reports (EPQR) and Jaguar/Land Rover Critical Concerns eTracker records, as described in Appendix B, is provided electronically in Appendix C (filename: 2006-07-14_Appendix C—MANUFACTURER REPORT COUNT). Please note also that CATS contains some dealer and employee field reports and goodwill warranty data as well as customer complaints. All of these reports were reviewed for relevance.

Reports of Crash/Injury/Fatality: For purposes of identifying allegations of accidents or injuries potentially related to the subject condition in the subject peer vehicles, Ford has reviewed responsive (i.e., not ambiguous) owner and field reports, lawsuits and claims, and warranty claims. Based on a reasonable and diligent search, Ford located no such reports.

Claims, Lawsuits, and Arbitrations: For purposes of identifying incidents potentially related to the subject condition in the subject peer vehicles, Ford has gathered claim and lawsuit information maintained by Ford's OGC. Ford's OGC is responsible for handling product liability lawsuits, claims, and consumer breach of warranty lawsuits and arbitrations against Land Rover.

Based on a reasonable and diligent search, Ford located no lawsuits, no claims, no consumer breach of warranty lawsuits, and no arbitrations that appear to relate to subject condition in the subject peer vehicles.

Request 3

State, by each model, model year, sunroof configuration and the specific sunroof section or panel, the total count for all of the following categories of claims, collectively, that have been paid by Premier Auto Group to date that relate to, or may relate to, the subject condition in the subject peer vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure

specified in a technical service bulletin or customer satisfaction campaign. Do not count the claim if it is a duplicate of a subpart report in question 2.

Provide this information in a table format in Microsoft Excel or Access 2000, or a compatible format, entitled "WARRANTY DATA."

Answer

In responding to this information request, Ford electronically searched its Analytical Warranty System (AWS) for all claims meeting the criteria described in Appendix B. The resulting claims were then reviewed individually for allegations that may relate to the subject condition. The number of records identified in this search and review of the AWS database is provided electronically in Appendix D (file: 2006-07-14_Appendix D - AWS).

Requests for "good will," field, or zone adjustments received by Ford to date that relate to the subject condition in the subject peer vehicles that were honored, if any, would be included in the warranty data provided. Requests that were not honored, if any, would have been included in owner reports identified in response to Request 2. There have been no Technical Service Bulletins, owner notification, service, or similar programs concerning the subject condition in the subject peer vehicles, and therefore, no repairs have been made in accordance with such programs.

Request 4

Describe in detail the search criteria used by Premier Auto Group to identify the claims identified in response to Request No. 3, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the subject condition in the subject peer vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by Premier Auto Group on the overall subject vehicle, on glass breakage in the side windows and glass breakage in the sunroof system (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that Premier Auto Group offered for the subject peer vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

Answer

The search criteria used by Ford to identify responsive claims is described in the AWS section of Appendix B.

All 2005-2006 model year Land Rover LR3 vehicles include the following warranty coverage options:

- 48 month/50,000 mile bumper-to-bumper
- 72 month/unlimited miles corrosion (perforation only)

There are no unique warranty provisions for glass panels (side, Alpine or separate sunroof) outside that of the bumper-to-bumper warranty. Descriptions of the available extended warranty programs, as well as a spreadsheet of the number of vehicles enrolled in the Land Rover extended warranty programs are provided in Appendix E (file: 2006-07-14_Appendix E – Extended Warranty) on the enclosed CD.

Request 5

For each glass panel utilized (from the front to rear of vehicle) in the subject vehicle, provide the following information:

- a. Formal item name;
- b. Common item name;
- c. Movable or Fixed glass panel system;
- d. Single or multiple panel design (state number of panels);
- e. Type of movable glass panel deployment design (i.e., Slide-in-Roof; Tilted and Slide over roof; Tilted, Slide and Stacked (for sectioned design), etc.);
- f. Interior opening beneath glass panel area (length x width across roof in centimeters);
- g. Location of glass panel (i.e., "over 1st – row occupants", "over 2nd – row occupants", "over 1st & 2nd – row occupants", etc.);
- h. Size of panel (length x width centimeters);
- i. Thickness of glass (millimeters);
- j. Weight of glass panel (kilograms);
- k. Type of glass used (i.e. laminated, tempered, tempered-laminated, multiple glazed unit, rigid plastics, etc... as classified in ANSI/SAE Z26.1);
- l. Certified to ANSI/SAE Z26.1, Item 3/4 Glazing Material Standard (specify all applicable Table 1 Tests);
- m. Provide any impact test results per ANSI/SAE Z26.1 Test No. 6-14 or per other standards if available;
- n. ANSI/SAE Z26.1 certification marking (i.e. AS1, AS2, etc.) if any; and
- o. Explain the reasons for selecting the type, thickness and other relevant aspects of the glass used in the subject component in comparison with other types, thicknesses, and other relevant aspects of glass, which were considered or which could have been used.

Answer

The response to this request is being provided separately as Appendix F (electronic file: 2006-07-14_Appendix F) with a request for confidentiality under separate cover to the agency's Office of the Chief Counsel pursuant to 49 CFR, Part 512.

Request 6

Provide photographs showing an exterior top view looking down at the vehicle's entire roof section. If the glass panel opens, provide photographs for both the close position and the open position. In addition, show wide-angled interior views looking up at the entire roof liner, with all shades opened, with the glass roof panels in the close position and in the open position. Provide a minimum of two pictures each originating from two opposite angles for each exterior and interior screen shots. The files shall be in a "JPG" format with a minimum resolution of 2,500 x 2,000 pixels each and 2.0 MB size.

Answer

The response to this request is provided electronically in Appendix G (filename: 2006-07-14_Appendix G).

Request 7

For each model, model year and glass panel design on the subject peer vehicles, identify the part number, supplier name and a complete address, contact name, and telephone number.

Answer

The response to this request is provided electronically in Appendix H (filename: 2006-07-14_Appendix H).