## **TOYOTA**TOYOTA MOTOR NORTH AMERICA, INC.

WASHINGTON OFFICE
601 THIRTEENTH STREET, NW. SUITE 910 SOUTH, WASHINGTON, DC 20005

TEL: (202) 775-1700 FAX: (202) 463-8513

May 31, 2006

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

Subject:

NVS-213car; PE06-010

**Confidential Information** 

Dear Mr. Matheke:

In accordance with 49 CFR 512.4, enclosed is Toyota's response to NHTSA's March 9, 2006 letter concerning PE06-010, a defect investigation into Toyota Sienna vehicles.

Toyota claims that the marked portions of the information contained in Attachment 8 and 9 herein contains confidential information, specifically detailed engineering information on the run-flat tires and Tire Pressure Warning System (TPWS), including detection strategies, safety factors, performance requirements, and proprietary design changes and enhancements used in the subject vehicles. Toyota considers this information to be proprietary, and reflective of the company's significant technological and intellectual investment, and would not be available to others without similar efforts.

Release of this confidential material would aid Toyota's competitors in learning details of Toyota's specifications, performance requirements, and strategies for the Tire Pressure Warning System (TPWS), closely guarded information in the motor vehicle industry. Disclosure of this information would likely result in competitive harm. Therefore, Toyota requests that this material be treated permanently as confidential. Such information has historically been so recognized by the agency, and confidential treatment has been granted.

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.

Office of Chief Counsel May 31, 2006 Page 2

Included you will find three CD-ROM's containing the attachments to the response. Per 49 CFR 512, one CD-ROM contains the complete response including confidential information, one contains the response with the confidential information removed, and one contains only the confidential information.

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 Enclosure

## 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 "Attachments 8 and 9" in the response to NHTSA's March 9, 2006 letter [NVS-213car; PE06-010] 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 "Attachments 8 and 9" 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 31st day of May 2005.

Executed on this, the 31st day of May 2005.

Chris Tinto Vice President

TOYOTA MOTOR NORTH AMERICA, INC.