

# DAIMLERCHRYSLER

*Speth*  
1/18/06

January 12, 2007

Mr. Thomas Z. Cooper, Chief  
Vehicle Integrity Division  
Office of Defects Investigation  
National Highway Traffic Safety Administration  
U.S. Department of Transportation  
400 Seventh Street, SW  
Washington, D.C. 20590

DaimlerChrysler Corporation  
Stephan J. Speth  
Director  
Vehicle Compliance & Safety Affairs

Dear Mr. Cooper:

Reference: NVS-212mjl; PE06-045

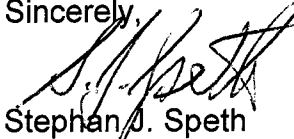
This document contains DaimlerChrysler Corporation's ("DCC") response to the referenced inquiry regarding alleged fracture of side curtain air bag diffuser tubes during NHTSA ejection mitigation testing using a 2006 model year Dodge Durango ("HB") vehicle. In reaching our analysis and conclusions, and by providing the information contained herein, DCC is not waiving its claim to attorney work product and attorney-client privileged communications.

Since the opening of PE06-045 approximately 7 weeks ago, DCC has conducted a thorough investigation and analysis and has found no field reports, consumer complaints, lawsuits, claims, or any other input or evidence suggesting that the alleged condition exists in the subject vehicles in the field. Furthermore, the subject vehicles comply with all performance requirements of FMVSS214 without the presence of side curtain air bag systems.

There are no reports responsive to this inquiry other than the NHTSA ejection mitigation tests, which are the sole basis for this investigation. DCC and Delphi, the side curtain airbag supplier, have conducted hundreds of deployments, both under static and dynamic test conditions, with no evidence of the alleged condition.

DCC has completed a thorough investigation and analysis of available data and has found no evidence of the alleged condition occurring in the field nor that it would constitute a safety-related defect.

Sincerely,

  
Stephan J. Speth

Attachment and Enclosures

1. **State, by model and model year, the number of the subject vehicles DaimlerChrysler has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by DaimlerChrysler, state the following:**
  - a. **Vehicle identification number (VIN);**
  - b. **Make;**
  - c. **Model;**
  - d. **Model Year;**
  - e. **Date of manufacture;**
  - f. **Date warranty coverage commenced; and**
  - g. **The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).**

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

- A1. The MY 2004 through 2007 DaimlerChrysler Corporation ("DCC") Dodge Durango is referred to as the HB model. The total number of subject 2004 through 2007 model year HB vehicles manufactured for the US market is 50,888. The side curtain air bag system was an optional feature on 2004 through 2006 model year subject vehicles. The side curtain air bag system became a standard feature on the 2007 model year subject vehicles.

The detailed response that lists the market production data is provided in Enclosure 1 as a Microsoft Access 2000 table, titled "PRODUCTION DATA."

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**NOTE: UNLESS OTHERWISE INDICATED IN THE RESPONSE TO ANY OF THE QUESTIONS, THIS DOCUMENT CONTAINS INFORMATION THROUGH NOVEMBER 16, 2006, THE DATE THE INFORMATION REQUEST WAS RECEIVED.**

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2. **State the number of each of the following, received by DaimlerChrysler, or of which DaimlerChrysler is otherwise aware, which relate to, or may relate to, the alleged defect in the subject 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;
  - e. Third-party arbitration proceedings where DaimlerChrysler is or was a party to the arbitration; and
  - f. Lawsuits, both pending and closed, in which DaimlerChrysler is or was a defendant or codefendant.

For subparts "a" through "f," 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 crash report, a field report and a consumer complaint).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and DaimlerChrysler's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "e" and "f," identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

- A2. The following summarizes the non-privileged reports identified by DCC that relate to, or may relate to, the alleged condition in the subject vehicles. DCC has conducted a reasonable and diligent search of our normal repositories of such information.
- a. There are no consumer complaints (VOQ, Customer Assistance Inquiry Request ("CAIR"), or legal matter) that may relate to the alleged condition.
  - b. There are no field reports responsive to the alleged defect.
  - c. There are no reports alleging crash, no reports of injury, and no reports of fatality that are responsive to this inquiry.
  - d. There are no reports that allege property damage that are responsive to this inquiry.
  - e. There are no third-party arbitration proceedings involving DCC that are responsive to this inquiry.

- f. There are no legal matters, claims, or lawsuits involving DCC, or notices received by DCC, that are responsive to the condition alleged in this investigation ("any failure or fracture of the subject component, or allegation of any improper deployment of the side curtain air bag that could be caused by a fracture of the subject component during deployment").
- 3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:**
- a. DaimlerChrysler's file number or other identifier used;
  - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
  - c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
  - d. Vehicle's VIN;
  - e. Vehicle's make, model and model year;
  - f. Vehicle's mileage at time of incident;
  - g. Incident date;
  - h. Report or claim date;
  - i. Whether a crash is alleged;
  - j. Whether property damage is alleged;
  - k. Number of alleged injuries, if any; and
  - l. Number of alleged fatalities, if any.

**Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA."**

- A3. There are no customer complaints, field reports, or legal claims and lawsuits from Request No. 2; therefore, there is no further information available to report.
- 4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method DaimlerChrysler used for organizing the documents.**
- A4. There are no customer complaints, field reports, or legal claims and lawsuits from Request 2; therefore, there are no documents to provide.
- 5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by DaimlerChrysler to date that relate to, or may relate to, the alleged defect in the subject 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.

Separately, for each such claim, state the following information:

- a. DaimlerChrysler's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Repair date;
- e. Vehicle mileage at time of repair;
- f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- g. Labor operation number;
- h. Problem code;
- i. Replacement part number(s) and description(s);
- j. Concern stated by customer; and
- k. Comment, if any, by dealer/technician relating to claim and/or repair.

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

A5.

Labor Operation Code (LOP)	2004 MY Warranty Claims	2005 MY Warranty Claims	2006 MY Warranty Claims	2007 MY Warranty Claims
232029	2	2	2	0

It is often not possible to determine whether each particular warranty claim is in any way related to the alleged condition. There are other random issues, not related to this alleged condition, that require replacement of subject components. The detailed response that lists the warranty claims is provided in Enclosure 2 as a Microsoft Access 2000 table, titled "WARRANTY DATA."

6. Describe in detail the search criteria used by DaimlerChrysler to identify the claims identified in response to Request No. 5, 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 alleged defect in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by DaimlerChrysler on the subject vehicles (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 DaimlerChrysler offered for the subject vehicles and state by option,

**model, and model year, the number of vehicles that are covered under each such extended warranty.**

- A6. The search criteria used by DCC to identify claims for Request No. 5 can be found in the chart below:

Description of Repair	Labor Operation
Airbag, Side	232029

Failure Code	Description
58	Internal Defect
UC	Uncodable

The standard warranty offered on the subject vehicles was 36 month / 36,000 miles. There are no extended warranty coverages for the subject components, but there are service contract coverage options. There were no claims made in the service contract coverage for the above labor operation code. Owners may also have purchased additional coverage through third-party service contract providers. DCC has no access to such records.

- 7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that DaimlerChrysler has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that DaimlerChrysler is planning to issue within the next 120 days.**
- A7. There are no service, warranty, and/or other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that DCC has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. There are no communications planned within the next 120 days.
- 8. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, DaimlerChrysler. For each such action, provide the following information:**
- a. Action title or identifier;

- b. The actual or planned start date;
- c. The actual or expected end date;
- d. Brief summary of the subject and objective of the action;
- e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
- f. A brief summary of the findings and/or conclusions resulting from the action.

**For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action. If an action is not complete, provide a detailed schedule for the work to be done, tentative findings and/or conclusions, and provide an update within 10 days of completion of the action.**

- A8. DCC engineering and Delphi (side curtain air bag supplier) reviewed all available test data, including Lot Acceptance Test (LAT) data, and found no failures consistent with the alleged defect. (LAT testing involves performing three side curtain air bag deployments on a test fixture per production lot. The production lot is approved for shipment only if the LAT testing passes.) This search involved reviewing data from over 229 deployments at the supplier manufacturing location (since October 2004); 18 vehicle crash tests; and the complete development, design verification ("DV"), and production validation ("PV") test series.

DCC engineering and Delphi reviewed the test components and procedure (referenced in the information request) at the test facility in East Liberty, Ohio on December 20, 2006. The three fractured subject components were reviewed and visually inspected. The test technician demonstrated the installation technique for the side curtain air bag. The following observations were noted during this review:

- 1) Two diffuser tubes exhibited fractures at the second whistle notch. The third diffuser tube exhibited a fracture at the first whistle notch. (Gas is distributed from the inflator to the cushion through the diffuser tube with a series of holes and whistle notches.)
- 2) The test vehicle exhibited sheet metal deformation at the rearward side curtain airbag mounting locations.
- 3) The side curtain airbag modules were stacked on a pallet for storage before installation.
- 4) Installation took place with test equipment in the vehicle, thus requiring more articulation and handling of the side curtain airbag module than what would occur in the field.

This review did not provide any additional insight into the failure mode or mechanism of the subject components. Deviations from DCC standard testing protocol included performing tests without full interior trim,

removing the rear windows, and reusing the same vehicle for 35 tests. DCC cannot speculate as to the consequences of performing side curtain airbag deployments in the subject vehicles with such deviations from standard test procedures and typical field conditions.

- 9. Produce copies of reports and documents related to all tests (e.g., pre-production, production, design validation, product validation, etc.) related to the diffuser tube in the subject vehicles including all side curtain air bag deployment tests associated with the subject vehicles. For each test, include information concerning the test conditions:**
  - a. With and without the installation of the headliner;
  - b. With variations in the mounting points; and
  - c. On sled buck or vehicle body.
  
- A9. Detailed test reports are being submitted as Enclosure 3 – CONFIDENTIAL to the Office of the Chief Counsel, under separate cover with a request for confidential treatment of information.
  
- 10. Produce copies of reports and documents related to all sled and crash tests (developmental and certification) that involved side curtain air bag deployments in the subject vehicles.**
  
- A10. All documents related to sled and crash tests, involving side curtain airbag deployments, are being submitted as Enclosure 4 – CONFIDENTIAL to the Office of the Chief Counsel, under separate cover with a request for confidential treatment of information.
  
- 11. Describe all modifications or changes made by, or on behalf of, DaimlerChrysler in the design, material composition, manufacture, process control, quality control, supply, or installation of the subject components, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles. For each such modification or change, provide the following information:**
  - a. The date or approximate date on which the modification or change was incorporated into vehicle production;
  - b. A detailed description of the modification or change;
  - c. The reason(s) for the modification or change;
  - d. The part numbers (service and engineering) of the original component;
  - e. The part number (service and engineering) of the modified component;
  - f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;



- g. When the modified component was made available as a service component; and**
- h. Whether the modified component can be interchanged with earlier production components.**

**Also, provide the above information for any modification or change that DaimlerChrysler is aware of which may be incorporated into vehicle production within the next 120 days.**

A11. A detailed summary of design change information, recorded on DCC Change Notices ("CN"), for the subject vehicle subject components is being submitted as Enclosure 5 – CONFIDENTIAL to the Office of the Chief Counsel, under separate cover with a request for confidential treatment of information.

**12. Describe in detail the side curtain air bag systems in the subject vehicles and the differences, if any, in the systems by model year of the subject vehicles. This should include, but is not limited to, differences in types of occupant protection (i.e., side impact protection and rollover protection) offered by the system, inflation pressures, how long air bag stays inflated, and air bag venting and porosity.**

A12. A detailed description of the side curtain air bag system is being submitted as Enclosure 6 – CONFIDENTIAL to the Office of the Chief Counsel, under separate cover with a request for confidential treatment of information.

**13. Produce two of each of the following:**

- a. Exemplar samples of each design version of the subject components;**
- b. Field-returned samples of the subject components exhibiting the subject failure mode; and**
- c. Any kits that have been released, or developed, by DaimlerChrysler for use in service repairs to the subject component/assembly which relate, or may relate, to the alleged defect in the subject vehicles.**

A13.

- a. Two exemplar samples of the production side curtain air bag system will be provided for vehicle's left side. The production part is also used as the service part (same part number). These parts are expected to ship on or before January 26, 2007.
- b. There are no field-returned samples available because there are no reports identified by DCC that relate to, or may relate to, the alleged condition in the subject vehicles.

c. There are no service kits for use in repairs to the subject components.

**14. State the number of the subject components that DaimlerChrysler has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (including the cut-off date for sales, if applicable). Include any kits that have been released, or developed, by DaimlerChrysler for use in service repairs to the subject component/assembly which relate, or may relate, to the alleged defect in the subject vehicles.**

**For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number). Also, identify by make, model and model year, any other vehicles of which DaimlerChrysler is aware that contain the identical subject component, whether installed in production or in service, and state the applicable dates of production or service usage.**

A14. The part sales information is included in Enclosure 7 – PART SALES. It is impossible to determine what prompted these part sales. There are various circumstances that are not related to this alleged condition, yet still require sales/replacement of the subject components.

The Chrysler Aspen, introduced in 2007MY, uses the same subject components as the subject vehicle. No other DCC vehicles utilize this subject component for any make or model year.

DCC has concluded that part sales data cannot be used to determine any trend related to the alleged condition.

**15. Furnish DaimlerChrysler's assessment of the alleged defect in the subject vehicles, including:**

- a. **The causal or contributory factor(s);**
- b. **The failure mechanism(s);**
- c. **The failure mode(s);**
- d. **The risk to motor vehicle safety that it poses; and**
- e. **What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring or subject component was malfunctioning.**

A15. There are no reports responsive to this inquiry other than the NHTSA ejection mitigation tests performed at the test facility in East Liberty, Ohio. These tests, which are the sole basis for this investigation, were all performed with the vehicle headliner and other interior components

removed. The side curtain air bag system is designed to properly deploy with all interior trim in place. Additionally, neither DCC nor Delphi has performed 35 side curtain air bag deployments using the same vehicle. DCC cannot speculate as to the consequences of performing side curtain airbag deployments in the subject vehicles with such deviations from standard test procedures and typical field conditions.

DCC cannot identify what caused the alleged condition during the NHTSA testing. DCC and Delphi have conducted hundreds of side curtain airbag deployments, both under static and dynamic test conditions, with no evidence of the alleged condition. It is possible that further metallurgical examination and analysis of the NHTSA test parts could provide additional information.

The subject vehicles comply with all performance requirements of FMVSS214 without the presence of side curtain air bag systems.

DCC has conducted a thorough investigation and analysis and has found no field reports, consumer complaints, lawsuits, claims, or any other input or evidence suggesting that the alleged condition exists in the subject vehicles in the field or that such condition constitutes a safety-related defect.

# DAIMLERCHRYSLER

DaimlerChrysler Corporation  
Stephan J. Speth  
Director  
Vehicle Compliance & Safety Affairs

January 12, 2007

Mr. Anthony M. Cooke  
Chief Counsel  
National Highway Traffic Safety Administration  
400 Seventh Street, S.W. Rm. 5219  
Washington, DC 20590

Re: Request for Confidential Treatment of Documents Submitted in PE06-045

Dear Mr. Cooke:

DaimlerChrysler Corporation ("DCC") is submitting information on DVD-ROM discs to the Office of Defects Investigation in connection with the above referenced Information Request ("IR"). Based on a careful review of the submission, DCC has determined that the documents in Enclosures 3, 4, 6, & 7 should be accorded confidential treatment, pursuant to 49 C.F.R. Part 512 and Exemption 4 of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552(b)(4).<sup>1</sup> Therefore, DCC is submitting these DVD's together with this request for confidential treatment to the Office of Chief Counsel.

The information required by Part 512 is set forth below. Also as required by Part 512, DCC is submitting certificates executed by responsible DCC and Delphi Corporation ("Delphi") personnel.

**A. Description of the Information (49 C.F.R. § 512.8(a))**

The DCC information for which confidential treatment is being sought is a design change history in Enclosure 5 and a design description in Enclosure 6; developmental testing data, reports, and analysis; photos and video clips of testing set-ups and procedures in Enclosure 4.

The Delphi information for which confidential treatment is being sought consists of highly confidential developmental testing data, reports, and analysis in Enclosure 3. This information was provided to DCC by Delphi. DCC and Delphi have maintained the confidentiality of the information and have not disseminated it publicly.

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<sup>1</sup> DCC has taken steps to assure that the DVD-ROM's are free of any errors or defects that would prevent NHTSA from opening each file on the disc. If, however, the agency is unable to open any of the files, DCC respectfully requests that the agency inform DCC of the issue, so that DCC may take steps to supply NHTSA's Office of Chief Counsel with a disc that is fully functional.

The table attached to this letter will more fully describe the documents.

**B. Confidentiality Standard (49 C.F.R. § 512.8(b))**

This submission is subject to the substantial competitive harm standard set forth in 49 C.F.R. § 512.15(b) for information that a submitter is required to provide to the agency. Under this standard, information qualifies for confidential treatment if its disclosure would be likely to result in substantial harm to the competitive position of the submitter.

**C. Justification for Confidential Treatment (49 C.F.R. § 512.8(c))**

This agency's regulations and Exemption 4 of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552(b)(4), protect the confidentiality of information that would be likely to cause substantial competitive harm to the submitter if disclosed. *See, e.g., 49C.F.R. § 512.15(b); National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974). FOIA Exemption 4 was enacted to prevent disclosures that would "eliminate much of the time and effort that would otherwise be required to bring to market a product competitive with the [submitter's] product." *Public Citizen Health Research Grp. v. FCA*, 185 F.3d 898, 905 (D.C. Cir. 1999). "Because competition in business turns on the relative costs and opportunities faced by members of the same industry, there is a potential windfall for competitors to whom valuable information is released under FOIA. If those competitors are charged only minimal FOIA retrieval costs for the information, rather than the considerable costs of private reproduction, they may be getting quite a bargain. Such bargains could easily have competitive consequences not contemplated as part of FOIA's principal aim of promoting openness in government." *Worthington Compressors, Inc. v. Costle*, 662 F.2d 45, 51 (D.C. Cir. 1981). Substantial competitive harm also may result from disclosures that would reveal a firm's "operational strengths and weaknesses" to competitors. *See Nat'l Parks & Conservation Ass'n v. Kleppe*, 547 F.2d 673, 684 (D.C. Cir. 1976). The information at issue here should be protected under these standards.<sup>2</sup>

Competitors could determine the type of testing and reporting that DCC and Delphi do as well as the type of testing analysis that is generated from the testing data. The process of analysis and product testing methodology would also cause substantial competitive harm if disclosed because competitors could improve their analysis processes and testing methodology without the time and expense of developing these processes and methodologies themselves.

Product design information and the design change history reveal information about the design and manufacturing process changes, the timing of such changes, the reasons for the changes, and the process by which such changes were made. This information would

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<sup>2</sup> As noted above, DCC is providing a table that identifies the confidential information on the enclosed discs, and specifies the location of the information (by enclosure number and, where applicable, by folder and sub-folder as well as the Bates page numbers). The table also briefly states the basis for the confidentiality claims.

give a competitor DCC proprietary information and give them the opportunity to improve their own designs and manufacturing processes without the effort and resources it took DCC. This would cause DCC substantial competitive harm if this information is disclosed, because competitors could bring their product to market without spending the resources.

This submission contains developmental and design testing information. NHTSA has recognized that developmental testing information would be protected under Exemption 4 because it reveals the scope, nature, and results of a submitter's proprietary and developmental testing, as well as the submitter's design and performance standards, design philosophies, and the reasons for various design choices. Such information could enable a competitor to develop and upgrade its own testing protocols, improve its design decisions, and gain insights into DCC's operational capacities.

In addition, some of the documents provide information about the performance and operational capacities of suppliers. The disclosure of such information could relieve competitors of the costs and burdens of independently identifying and assessing suppliers, thereby enabling them to bring products competitive with DCC's products to market more quickly and at less cost. *See SMS Data Prods. Grp., Inc. v. United States Dept. of Air Force*, Civ. A. No. 88-0481-LFO, 1989 WL 201031, at \*4 (D.D.C. May 11, 1989) (submitter of information has spent years developing a network of subcontractors, and release of the information would give competitors the information "without needing to expend the same time and resources").

**D. Class Determination (49 C.F.R. § 512.8(d))**

The information for which confidential treatment is sought does not fit within a class determination.

**E. Duration for Which Confidential Treatment is Sought (49 C.F.R. § 512.8(e))**

Because DCC anticipates that the information will be competitively sensitive indefinitely, DCC requests that the information be accorded confidential treatment permanently.

**F. Contact Information (49 C.F.R. § 512.8(f))**

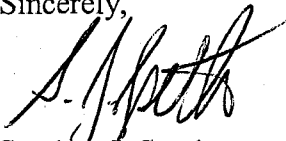
Please direct all inquiries and responses to the undersigned at:

800 Chrysler Drive, CIMS 482-00-91  
Auburn Hills, MI 48326  
248-512-4188  
SS6@dcx.com

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If you receive a request for disclosure of the information for which confidential treatment is being sought before you have completed your review of our request, DCC respectfully requests notification of the request(s) and an opportunity to provide further justification for the confidential treatment of this information, if warranted.

Sincerely,



Stephan J. Speth

cc: Thomas Cooper

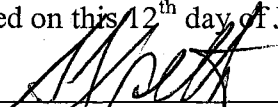
Attachment and Enclosures

### Certificate in Support of Request for Confidentiality

I, Stephan J. Speth pursuant to the provisions of 49 C.F.R. Part 512, state as follows:

- (1) I am DaimlerChrysler Corporation's Director, Vehicle Certification, Compliance and Safety Affairs and I am authorized by DaimlerChrysler Corporation to execute documents on its behalf;
- (2) I certify that the information contained in the attached documents 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);
- (3) I hereby request that the information contained in the indicated documents be protected on a permanent basis;
- (4) This certification is based on the information provided by the responsible DaimlerChrysler Corporation 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 DaimlerChrysler Corporation;
- (5) Based upon that information, to the best of my knowledge, information and belief, the information for which DaimlerChrysler Corporation has claimed confidential treatment has never been released or become available outside DaimlerChrysler Corporation, except to certain contractors of DaimlerChrysler Corporation with the understanding that such information must be maintained in strict confidence;
- (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 DaimlerChrysler Corporation 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 12<sup>th</sup> day of January, 2007

  
\_\_\_\_\_  
Stephan J. Speth

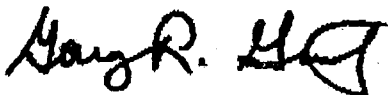


### Certificate in Support of Request for Confidentiality

I, Gary Greib, pursuant to the provisions of 49 C.F.R. Part 512, state as follows:

- (1) I am the Manager of Product Regulatory Affairs and I am authorized by Delphi Corporation (Delphi) to execute documents on its behalf;
- (2) I certify that the information contained in the attached documents 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);
- (3) I hereby request that the information contained in the indicated documents be protected on a permanent basis;
- (4) This certification is based on the information provided by the responsible Delphi 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 Delphi;
- (5) Based upon that information, to the best of my knowledge, information and belief, the information for which Delphi has claimed confidential treatment has never been released or become available outside Delphi, except to DaimlerChrysler and certain contractors of Delphi and/or DaimlerChrysler with the understanding that such information must be maintained in strict confidence;
- (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 Delphi 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 9<sup>th</sup> day of January, 2007



Gary R. Greib  
Manager, Government Regulatory Affairs  
Delphi Corporation