Stephan J. Speth, Director
Vehicle Compliance and Safety Affairs
DaimlerChrysler Corporation
800 Chrysler Drive
CIMS 482-00-91
Auburn Hills, MI 48326-2757

AUG - 7 2007

Re: DaimlerChrysler Request for Confidential Treatment for Information Provided in PE07-009

Dear Mr. Speth:

This responds to your April 10, 2007 letter requesting confidential treatment for information submitted by DaimlerChrysler Corporation (DCC). The information for which you request confidential treatment is contained on a CD-ROM ("PE07-009, Confidential, April 10, 2007") and consists of 37 engineering change notices contained within the folder "Enclosure 7 Change History – Confidential." The change notices are contained within subfolders "06 IPM CN's – Confidential" and "07 IPM CN's - Confidential." The individual documents bear Bates numbers "DCC PE-07-009-000001" through "DCC PE-07-009-000077." DCC requests permanent confidential treatment for this information.

I have decided to grant your request.

DCC was required to submit this data in response to an agency information request. Thus, because DCC was required to submit this information, I reviewed your claim for confidential treatment under the test set forth in *National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974) and its progeny. Under the *National Parks* decision, information concerning a commercial or financial matter may be withheld under Exemption 4 of the Freedom of Information Act (FOIA) if disclosure of the information would be likely to cause substantial competitive harm to the competitive position of the submitter, or is likely to impair the Government's ability to obtain necessary information in the future. *Id.* at 770.

Upon review of your submission, the individual documents that bear Bates numbers "DCC PE-07-009-000001" through "DCC PE-07-009-000077" contain detailed engineering specifications and related data on Jeep Commander electrical distribution systems. I agree with DCC's contention that disclosure of this information, which reveals information about designs and design manufacturing processes, would be likely to cause DCC substantial competitive harm, as competitors of DCC could improve their own designs and manufacturing processes to compete more effectively against DCC. Therefore, I am granting confidential treatment to the

individual documents that bear Bates numbers "DCC PE-07-009-000001" through "DCC PE-07-009-000077" contained in your submission. Subject to the conditions below, this grant of confidential treatment for this information will remain in effect indefinitely.

This grant of confidential treatment 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,

Otto G. Matheke, III
Senior Attorney