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Gay P. Kent
Director, Product Investigations
General Motors North America
Mail Code 480-210-G11
30001 Van Dyke Road
Warren, MI 48090

Re: Confidentiality Determination/EA07-012 (Land Rover Range Rover -- peer data)

Dear Ms. Kent:

This responds to your February 19, 2008 letter requesting confidential treatment for information provided by General Motors North America (GM) in response to an agency information request involving front differential failures. The information was provided on a single CD-ROM (N080015 EA07-012 Attachment 2). The CD-ROM consists of information concerning GM's production validation process, engineering development analysis process and specifications, and engineering drawings of the front differential and prop-shaft used in MY 2003-2005 Cadillac Escalade vehicles. These items are contained in folders "Q_05" and "Q_06". You request that the agency not apply a time limitation to GM's request, which I am construing as a request for confidentiality on an indefinite basis.


Your letter indicates that the submitted information is considered confidential and proprietary and that it is not released to the public. You argue that if the information were disclosed, it would be likely to cause GM to suffer substantial competitive harm by revealing how GM analyzes, specifies and approves a product. These documents, you contend, would give competitors valuable information without having to commit resources comparable to those invested by GM in developing this process.

I have decided to grant your request for confidential treatment.

The information contained in folders "Q_05" and "Q_06" in Attachment 2 will be withheld for an indefinite period of time.

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

