

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

JUN 17 2008

Re: Request for Reconsideration on Confidentiality of Information Submitted  
in PE 07-041

Dear Mr. Speth:

This responds to Chrysler Corporation's (Chrysler) March 12, 2008, request for reconsideration of a February 26, 2008, agency denial of confidential treatment for documents Chrysler submitted in the above matter. The information at issue is contained on a single CD-ROM disk identified as "PE07-041." Chrysler requests permanent confidential treatment.

By a letter dated February 26, 2008, Mr. Otto Matheke partially denied Chrysler's original request. In this letter, Mr. Matheke found that Chrysler had not included third party certifications from ELTH and UFI as required by 49 CFR § 512.4(b). In its request for reconsideration, Chrysler resubmitted the information and the proper third party certifications. The submission contains ten files containing data on test set ups, test results, reports, and design failure mode and effect analysis.

Because Chrysler was required to respond to the agency's request pursuant to 49 U.S.C. § 30166, your reconsideration request was evaluated under the standard in *National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974), and its progeny. Under that test, information is confidential under Exemption 4 of the Freedom of Information Act if its disclosure would be likely to cause substantial competitive harm to the submitter or otherwise impair the government's ability to collect the information in the future.

I have decided to grant your request.

The information submitted by Chrysler contains specific test procedures, results, and conclusions from testing that, if released, would be likely to cause Chrysler to suffer competitive harm.

Notwithstanding this grant of confidential treatment, the information may be disclosed under the various provisions set forth in 49 U.S.C. § 30167 and 49 CFR Part 512. You will be notified prior to any such release of information.

This matter has been delegated to the undersigned for final decision. My decision is administratively final.

Sincerely,

**Original Signed By**

Lloyd S. Guerci  
Assistant Chief Counsel  
for Litigation and Enforcement

