

Stephan J. Speth, Director  
Chrysler LLC  
800 Chrysler Drive  
CIMS 482-00-91  
Auburn Hills, MI 48326-2757

SEP 25 2008

Re: Request for Confidential Treatment for Information Provided in PE07-062

Dear Mr. Speth:

This responds to your March 14, 2008, request for confidential treatment for Chrysler LLC ("Chrysler") information given in response to an agency information request in the above listed agency investigation.

The information for which you request confidential information is contained on a March 14, 2008 CD-ROM entitled "PE07-062, Chrysler, Confidential Business Information." One Chrysler supplier, TRW Automotive (TRW) has provided a certification outlining its view that the materials included in Chrysler's submission are confidential. TRW's certification is incorporated into your request. Chrysler seeks permanent confidential treatment.

Your request is granted.

I reviewed Chrysler's claim for confidential treatment under the test applied 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, 5 U.S.C. § 552(b)(4), if its disclosure would be likely to cause substantial competitive harm to the submitter or to impair the government's ability to collect the information in the future.

You contend that the confidential information in Enclosures 8, 9, and 12 consists of Chrysler and TRW testing reports and procedures, design verification plans and reports, design and engineering drawings, studies of possible design changes, manufacturing process flow charts, and engineering change histories. Chrysler claims this information would allow competitors to refine and improve their own designs and product evaluation/reporting systems to more effectively compete with Chrysler without incurring the costs normally

associated with developing such procedures. You also contend that one document in Enclosure 8 (Bates page PE07-062-Chrysler-0023) is subject to the class determination in 49 C.F.R. Part 512 Appendix B(1) as an engineering drawing.

I concur with Chrysler's assertion that the information contained in Enclosures 8, 9, and 12 would be likely to cause substantial competitive harm if released. I also concur with Chrysler's assertion that the document at Bates page PE07-062-Chrysler-0023 in Enclosure 8 is subject to the class determination in 49 C.F.R. Part 512 Appendix B(1) as an engineering drawing.

Subject to the conditions below, this grant of confidential treatment will remain in effect indefinitely.

This grant of confidential treatment is subject to certain conditions. The information may be disclosed under 49 C.F.R. § 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 C.F.R. § 512.10). If necessary, you will be notified prior to the release of any information under the procedures established by our regulations (49 C.F.R. § 512.22(b)).

Sincerely,

**Original Signed By**

Otto G. Matheke, III  
Senior Attorney

