

NHTSA
WASHINGTON, DC 20590

September 18, 2007

2007 SEP 19 A 10: 28

OFFICE OF CHIEF
COUNSEL N070204 Response

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Washington, D.C. 20590

NVS-213swmc
PE07-037

Dear Mr. Cook,

Enclosed with this letter are three copies of General Motors' (GM) September 17, 2007 response to NHTSA's information request (IR), dated July 27, 2007, for alleged rear differential failures that may cause loss of motive power and possibly loss of control, in model year (MY) 2003 through 2006 Cadillac CTS, CTS-V, and STS vehicles manufactured by the General Motors Corporation. Two copies include the confidential documents and the third does not.

GM requests that the documents stamped "GM Confidential" included in Attachment 2 CD GM Confidential be afforded confidential treatment without a time limitation by NHTSA. This information is not customarily made public by GM and contains trade secrets and commercial information which is privileged or confidential under 5 U.S.C. Section 552(b)(4), 49 CFR Part 512 and 49 U.S.C. Section 30167(a).

The following identifies the specific types of confidential information contained in each document:

| Response | Document Folder/ File Name | Information types |
|----------|---|--|
| 8.2 | CTS-V Housing and Half Shaft Fracture and Wheel Hop/PRTS+/EWOs | GM Problem Resolution Tracking System + (PRTS+) with test incident reports, and engineering work orders. |
| 8.3 | Pinion Seal Leak Study/ Q_8.3A - First Red X Analysis and Q_8.3B - Second Red X Analysis and Q_8.3E - GM Lab - Material Investigation | GM engineering analysis and development information, PRTS+, analysis reports, and engineering work order |
| 8.4 | Service Kit | Engineering work order |
| 8.6 | Management Reviews | GM Engineering Investigation - component and data analysis |

GM requests confidential treatment of the information in these documents because it includes trade secrets and the disclosure of which would cause substantial competitive harm. GM submits that the competitive harm would be substantial because the design and manufacture of vehicles and vehicle components are the core of its business and because global competition in that business is intense.

Documents in response to question 8 in the folders labeled "Q_8.2," "Q_8.3," and "Q_8.4" above disclose GM's design, validation test procedures, test incident resolution process, results of product development and performance testing and analysis, and component modifications. The dimensional, materials, and process information that they contain can be used to duplicate parts that otherwise would require substantial engineering or reverse engineering efforts. The development of test procedures and analysis of vehicle components involves time, effort, and skill. Knowledge of how GM tests and analyzes a product would give a competitor valuable

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information that it would otherwise have to spend its time and money to develop and therefore would deprive GM of the competitive advantage of its efforts without any compensation. These test procedures and results would give competitors insight into GM's methodologies and business practices for evaluating its products. Engineering design data for rear differential and half shaft assemblies could be used by an aftermarket part manufacturer to produce service parts that would compete with GM's service parts. The aftermarket part supplier would gain the free use of GM's engineering and development work and put GM at a competitive disadvantage.

Documents in response to question 8 in the folders labeled "Q_8.6" above disclose information about GM's application of engineering business process and judgment action through Field Performance Evaluation Team (FPET), Field Performance Evaluation Review Committee (FPERC), and GM Product Investigation resolving rear drive module issues. Knowledge of how GM evaluates and analyzes a product performance would give a competitor valuable information that it would otherwise have to spend its time and money to develop and therefore would deprive GM of the competitive advantage of its efforts without any compensation. The result of the evaluation information would give competitors insight into the design and performance of its products without having to expend their own resources or compensate GM for the knowledge they would gain.

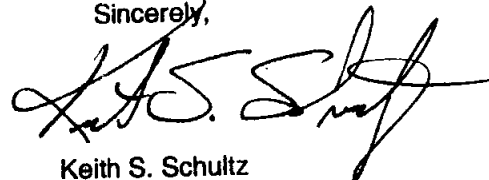
GM treats the above material as confidential proprietary information available only to authorized GM, supplier, and customer personnel who have a business need for them, and are not otherwise available to the public. These documents are maintained under a record-keeping system that is intended to control dissemination of this material within GM and supplier and customer personnel, and to assure that it is not freely disseminated outside the Corporation. Multiple security systems are used to limit access to facilities and record storage systems where confidential information is stored and employees receive training in information security policies and procedures.

To the best of our knowledge, the NHTSA, other Federal Agencies, or the Federal Courts has made no prior determinations of the confidentiality for these documents. These types of documents, however, have normally been granted confidential treatment by the NHTSA in the past, to the best of our knowledge.

The documents subject to this request for confidentiality are being provided and have been clearly stamped "GM CONFIDENTIAL" on the Disc label. If a request for disclosure of any or all of this information is received by the NHTSA, General Motors requests notification of receipt of each such request and, if necessary, an opportunity to further explain the reasons why such material is trade secret and commercial information which should not be disclosed under the applicable statutes and regulations.

If you require further information about this request, please do not hesitate to call me.

Sincerely,



Keith S. Schultz
Senior Manager
Product Investigations

Attachments