



NHTSA  
WASHINGTON, DC 20590  
2008 MAR 13 P 1:04  
OFFICE OF CHIEF  
COUNSEL

March 12, 2008

Mr. Anthony M. Cooke  
Office of Chief Counsel (NCC-111)  
National Highway Traffic Safety Administration  
1200 New Jersey Ave., SE, Room W41-227  
Washington, DC 20590

Re: Reconsideration Request for Confidential Treatment of Business Information Submitted in PE07-052

Dear Mr. Cooke:

Pursuant to 49 C.F.R. § 512.19, Chrysler LLC ("Chrysler"), hereby seeks reconsideration of the partial denial of Chrysler's December 13, 2007 request for confidential treatment for information provided in PE07-052.

The partial denial of confidential treatment was conveyed in a letter dated February 27, 2008, from Otto G. Matheke, III, to Stephan J. Speth of Chrysler. Chrysler received this letter on March 3, 2007.

Confidential treatment was denied for the Enclosure 11 .jpg documents because, according to the partial denial letter, they do not appear to be in their original format and, therefore, should have been marked "Entire Page Confidential Business Information." Chrysler regrets the omission of confidential marking, but there are several reasons why we did not mark the documents. First, we considered the .jpg files to be in their original format. Second, the software program we have to stamp all the confidential documents, only works on .pdf files. The only way we have to mark .jpg files is one at a time, and if there are several .jpg files, this can be very time consuming. Nevertheless, we are resubmitting these documents with the proper confidential markings on the top of each page. (07CS38L PS side was unable to be marked as a .jpg, so it was printed, stamped and then scanned, so that, now, it is a .pdf file.)

Although it does not appear that the denial of confidential treatment for the Enclosure 11 documents was predicated upon our failure to Bates number the documents (because we explained our inability to do so in our request for confidential treatment), we also note that it is not practical to Bates number these documents, because the only way to do so would be to print each document and hand Bates number it or to scan them as pdf files that can be stamped and Bates page numbered. (The drawback of scanning the

documents into pdf files is that photographs and other images embedded in the files would lose clarity, making them less informative and useful for NHTSA personnel.)

Substantively, these design drawings contain the engineering specifics for the design of the subject component. They show the exact location of each component in relation to the surrounding components. Competitors could use this information and improve their own designs without spending the resources that Chrysler did in developing these designs. Without spending the same resources these competitors could bring to market their products much quicker and at less cost. For these reasons, the release of these drawings would cause Chrysler substantial competitive harm.

Confidential treatment was also denied for the following documents:

- Enclosure 9/3.8L Power Steering Overview AMPS.pdf: Bates pg.# PE07-052-Chrysler-0009-10
- Enclosure 9/Power Steering Fill AMPS.pdf: Bates pg.#PE07-052-Chrysler-0011-12 → figures
- Enclosure 9/Secure PS Lines to Gear 4.0L AMPS.pdf: Bates pg.#PE07-052-Chrysler-0211-213
- Enclosure 10/Secure PS Lines to Gear 4.0L AMPS.pdf: Bates pg.#PE07-052-Chrysler-0219-221


These documents were denied confidentiality because “they lack detail or specifications and are simple drawings equivalent to those found in service manuals.” The partial denial also stated that “the figures are not blueprints, process sheets or detailed assembly instructions”. These characterizations of the documents are inaccurate. In fact, these documents are process sheets with assembly instructions. AMPS stands for Advanced Manufacturing Planning System and these documents have a header on them - “AMPS Process Sheet”. Each of these documents has detailed instructions for the assembly process including which parts to use when, what tools are necessary, the exact torque to use for installation, etc. The 3.8L Power Steering Overview AMPS shows the design of the entire power steering system in relation to the rest of the engine. Competitors could use this information to assess Chrysler’s designs and to improve their own designs. Competitors would also gain insight into Chrysler’s processes for assembly and the proprietary system Chrysler developed for documenting these processes and competitors would therefore be able to improve their processes. Chrysler spent considerable resources to develop these proprietary systems for its assembly process, and they have great competitive value. Release of these documents would cause Chrysler substantial competitive harm.

If your office needs any further information, please do not hesitate to contact me at:

800 Chrysler Drive, CIMS 482-00-91  
Auburn Hills, MI 48326  
248-512-4188  
SS6@chrysler.com

Enclosed for your reference is a signed copy of the original December 13, 2007 Request for Confidential Treatment for Information Provided in PE07-052.

Sincerely,



Stephan J. Speth

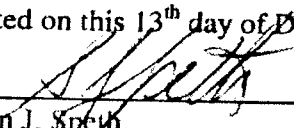
Attachment and Enclosures

### **Certificate in Support of Request for Confidentiality**

I, Stephan J. Speth pursuant to the provisions of 49 C.F.R. Part 512, state as follows:

- (1) I am Chrysler LLC's Director, Vehicle Certification, Compliance and Safety Affairs and I am authorized by Chrysler LLC to execute documents on its behalf;
- (2) I certify that the information contained in the attached documents is confidential and proprietary data and is being submitted with the claim that it is entitled to confidential treatment under 5 U.S.C. 552(b)(4);
- (3) I hereby request that the information contained in the indicated documents be protected on a permanent basis;
- (4) This certification is based on the information provided by the responsible Chrysler LLC personnel who have authority in the normal course of business to release the information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside Chrysler LLC;
- (5) Based upon that information, to the best of my knowledge, information and belief, the information for which Chrysler LLC has claimed confidential treatment has never been released or become available outside Chrysler LLC, except to certain contractors of Chrysler LLC with the understanding that such information must be maintained in strict confidence;
- (6) I make no representations beyond those contained in this certificate and, in particular, I make no representations as to whether this information may become available outside Chrysler LLC because of unauthorized or inadvertent disclosure (except as stated in paragraph 5); and
- (7) I certify under penalty of perjury that the foregoing is true and correct.

Executed on this 13<sup>th</sup> day of December, 2007

  
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Stephan J. Speth