



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

JUN 19 2008

1200 New Jersey Avenue SE
Washington, DC 20590

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James Vondale, Director
Automotive Safety Office
Environmental and Safety Compliance
Ford Motor Company
Fairlane Plaza South
330 Town Center Drive, Suite 400
Dearborn, MI 48126

NVS-214bby
PE08-035

Dear Mr. Vondale:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Preliminary Evaluation (PE08-035) to investigate allegations of under hood fires in 1995 through 2003 MY Ford Windstar vehicles manufactured by Ford Motor Company, and to request certain information.

ODI has received 130 complaints alleging incidents of engine compartment fire in model year (MY) 1995 thru 2003 Ford Windstar vehicles. Thirty six of the incidents were reported to ODI within the last 12 months. Two of the complaints allege the fires caused structural damage to the complainant's home. Of the 130 complaints, 33 allege the fire occurred while the vehicle was parked, 71 allege the fire occurred while the vehicle was running and 26 of the complaints do not specify if the vehicle was running or not.

Further review of the complaints shows that 65 allege that the speed control deactivation switch (SCDS) caused the fire and in four of those it is alleged that the SCDS leaked brake fluid on to the Antilock Braking System (ABS) module resulting in the fire. There were 56 that did not identify a cause and 9 that identified miscellaneous other causes.

A copy of each of the reports is enclosed for your information.

Unless otherwise stated in the text, the following definitions apply to these information requests:

- **Subject vehicles:** All MY 1995 through 2003 Ford Windstar.
- **Subject components:** All SCDS and ABS modules produced for use in the subject vehicles as original equipment or as replacement parts.
- **Peer vehicles:** All MY 1995 through 2003 MY Ford Windstar manufactured without ABS and/or speed control



- **Ford:** Ford Motor Company, all of its past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Ford (including all business units and persons previously referred to), who are or, in or after 1991, were involved in any way with any of the following related to the alleged defect in the subject vehicles:
 - a. Design, engineering, analysis, modification or production (e.g. quality control);
 - b. Testing, assessment or evaluation;
 - c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
 - d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.
- **Alleged defect:** Any smoke, fire, or ignition of engine compartment materials or components including the Speed Control Deactivation Switch and the Antilock Braking System module.
- **Document:** "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by Ford, any other data compilations from

which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document, which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by the manufacturer or not. If a document is not in the English language, provide both the original document and an English translation of the document.

- **Other terms:** To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as Ford has previously provided a document to ODI, Ford may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please repeat the applicable request verbatim above each response. After Ford's response to each request, identify the source of the information and indicate the last date the information was gathered. If requested information is unavailable, so state and provide a brief explanation. Along with your written response, please provide this information in Microsoft Word 2000, or a compatible format, entitled "IR Response."

1. State, by model and model year, the number of subject vehicles Ford has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date state the following:
 - a. Vehicle identification number (VIN);
 - b. Make;
 - c. Model;
 - d. Model Year;
 - e. Date of manufacture;
 - f. Date warranty coverage commenced;
 - g. The plant where the vehicle was produced;
 - h. If Antilock Brakes were installed as original equipment;

- i. If Cruise Control installed as original equipment; and,
- j. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide the table in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table designed for this submission.

2. State the number of each of the following, received by Ford, or of which Ford is otherwise aware, where either the subject component is alleged to have failed in the subject vehicles or a subject vehicle was alleged to have experienced the alleged defect:
 - a. Consumer complaints, including those from fleet operators;
 - b. Field reports, including dealer field reports;
 - c. Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
 - d. Third-party arbitration proceedings where Ford is or was a party to the arbitration; and,
 - e. Lawsuits, both pending and closed, in which Ford is or was a defendant or codefendant.

For subparts "a" through "e," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately for each model and model year. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "e," provide a summary description of the alleged problem and causal and contributing factors and Ford's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "d" and "e," identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

3. Separately for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
 - a. Ford's file number or other identifier used;
 - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
 - c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
 - d. Vehicle's VIN;
 - e. Vehicle's make, model and model year;
 - f. Vehicle's mileage at time of incident;
 - g. Incident date;
 - h. Incident state;
 - i. Report or claim date;
 - j. Whether a crash is alleged;

- k. Whether a fire is alleged;
- l. Whether property damage is alleged;
- m. Number of alleged injuries, if any;
- n. Number of alleged fatalities, if any;
- o. Ford component and system codes;
- p. Component that is alleged to have failed;
- q. If a fire is alleged the alleged quadrant of the engine compartment where the fire started. (front left, front right, rear left, rear right, unknown)
- r. Whether the incident occurred with the engine "OFF" or the engine "ON;"
- s. Whether or not Ford received a subrogation claim regarding the incident (Y/N);
- t. If a fire is alleged, whether a fire investigation was performed by any party, that Ford is aware of, to determine the origin and cause (if so, please provide a copy of the report);
- u. If a fire is alleged the alleged cause of the fire;
- v. Complaint summary;
- w. Consumer comments; and,
- x. Ford's assessment of the allegation;

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table designed for this submission.

- 4. Produce electronic copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Ford used for organizing the documents.
- 5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Ford to date where either the subject component was replaced in the subject vehicles or a subject vehicle was repaired for the alleged defect: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign. Separately, for each such claim, state the following information:
 - a. Ford's claim number;
 - b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
 - c. VIN;
 - d. Repair date;
 - e. Vehicle mileage at time of repair;
 - f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
 - g. Labor operation number;
 - h. Problem code;
 - i. Causal part (if identified);
 - j. Whether smoke, melting or fire is identified (if fields exist in warranty data);
 - k. Replacement part number(s) and description(s);
 - l. Concern stated by customer; and
 - m. Comments, by dealer/technician relating to claim and/or repair;

Provide this information in Microsoft Access 2000, or a compatible format, entitled "WARRANTY DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table designed for this submission.

6. Describe in detail the search criteria used by Ford to identify the claims identified in response to Request No. 6, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by Ford on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) related to the alleged defect that Ford offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.
7. Produce electronic copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that Ford has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that manufacturer's short name is planning to issue within the next 120 days.
8. By model and model year describe the circuits that contain the subject components in the subject and peer vehicles. Include in this description the other components that are powered on these circuits. Also include a description of the power, fusing, relays, or other current limiting devices that are in the circuits.
9. Identify all of the components in the engine compartment that are powered when the key is in the off position on the subject vehicles. Identify the quadrant in the engine compartment where the component is located (front left, front right, rear left, or rear right).
10. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect or any of the subject components installed in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, Ford. For each such action, provide the following information:
 - a. Action title or identifier;
 - b. The actual or planned start date;
 - c. The actual or expected end date;
 - d. Brief summary of the subject and objective of the action;
 - e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and,
 - f. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide electronic copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

11. State the number of each of the following that Ford has sold that may be used in subject vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (*including the cut-off date for sales, if applicable*):
 - a. Subject components; and
 - b. Any kits that have been released, or developed, by Ford for use in service repairs to the subject components/assemblies.

For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number) Also identify by make, model and model year, any other vehicles of which Ford is aware that contain the same part number component, whether installed in production or in service, and state the applicable dates of production or service usage.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER FOURTEEN DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table designed for this submission.

12. State whether Ford has ever conducted, or is aware of, any returned part analyses in subject vehicles related to the alleged defect or failure of the subject components. If so, describe, and provide electronic copies of all documents relating to, any and all returned part analyses of subject components. Include in your description the total number of such parts returned, the number analyzed, and a description of how they were analyzed. Include any and all material showing the frequencies of failed components as a function of service life or mileage.
13. Furnish Ford's assessment of the alleged defect in the subject vehicles, including::
 - a. All causal or contributory factors;
 - b. Any warning symptoms;
 - c. The failure mode;
 - d. The root cause of the failures;
 - e. Its potential effect on occupant safety;
 - f. The potential for future occurrences of the alleged defect in the subject vehicles;
 - g. The relative contribution of Kapton diaphragm failures to the total number of subject component failures, including how this changes over the service life of the parts (e.g., state whether it is considered a greater contributor later in life than it is early in life);
 - h. The risk of under hood fire in the subject models as a function of time in comparison to other passenger vehicles at similar ages; and,
 - i. The relative contribution of the subject components to the incidence of under hood fires in the subject models over the service life of the vehicle and state the bases for the assessment.

This letter is being sent to Ford pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports and the production of things. It constitutes a new request for information. Ford's failure to respond promptly and fully to this letter could subject Ford to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) Please note that maximum civil penalties under 49 U.S.C. § 30165 have increased as a result of the recent enactment of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, Public Law No. 106-414 (signed November 1, 2000). Section 5(a) of the TREAD Act, codified at 49 U.S.C. § 30165(b), provides for civil penalties of up to \$5,000 per day, with a maximum of \$15 million for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. This includes failing to respond to ODI information requests.

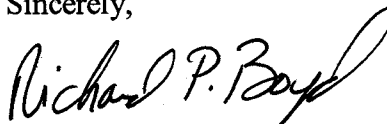
If Ford cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, Ford does not submit one or more requested documents or items of information in response to this information request, Ford must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

Ford's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by **July 30, 2008**. Please refer to **PE08-035** in Ford's response to this letter. If Ford finds that it is unable to provide all of the information requested within the time allotted, Ford must request an extension from Mr. Richard Boyd at (202) 366-4933 no later than five business days before the response due date. If Ford is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Ford then has available, even if an extension has been granted.

If Ford claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Ford must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, to the Office of Chief Counsel (NCC-113), National Highway Traffic Safety Administration, Room 5219, 400 Seventh Street, S.W., Washington, D.C. 20590. Ford is required to submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.

If you have any technical questions concerning this matter, please call Bruce York of my staff at (202) 366-6938.

Sincerely,

A handwritten signature in black ink, reading "Richard P. Boyd". The signature is written in a cursive style with a large, looping "R" and a stylized "B".

Richard P. Boyd, Chief
Medium and Heavy Duty Vehicle Division
Office of Defects Investigation

Enclosure 1, One CD ROM titled Data Collection Disc containing three files
Enclosure 2, One hundred thirty consumer complaints