

SEP 11 2008

Gay P. Kent, Director
Product Investigations
General Motors Corporation
Mail Code: 480-210-G11
30001 Van Dyke Road
Warren, MI 48090-9055

Re: Confidentiality Determination/April 8, 2008 Meeting, regarding Component Review, Supplier's (Microheat, Inc.) Heated Washer Fluid Module Analysis Report, NVS-213dlr/PE08-010, NHTSA Investigation N080048

Dear Ms. Kent:

This responds to your June 6, 2008 request for confidential treatment for General Motors Corporation (GM) presentation material given in an April 8, 2008 meeting with the National Highway Traffic Safety Administration's Office of Defects Investigation. This information is contained on a single CD-ROM disk entitled "GENERAL MOTORS CORPORATION, Global Vehicle Structure & Safety Integration, Product Investigations, Micro Heat Confidential Business Information, N080048 Supplement 1, PE08-010, ATT_1_Micro Heat_CONF, Reply Date: 6/6/2008." Specifically, Microheat, Inc. (Microheat) GM's supplier requests confidential treatment for its heated washer fluid module analysis report submitted by GM. Microheat requests that this information be afforded confidential treatment with a time limitation.

Your letter and accompanying certificate indicate that the information provided is confidential and proprietary data that has never been released or become available outside Microheat, except as specified.

I have decided to grant your request.

I have determined that GM and Microheat provided this information voluntarily. Accordingly, I have reviewed your request under the principles set forth in *Critical Mass Energy Project v. Nuclear Regulatory Comm'n*, 975 F.2d 871 (D.C. Cir. 1992). Under the test set forth in *Critical Mass*, financial or commercial information provided to the government on a voluntary basis is "confidential" for purposes of Exemption 4 of the Freedom of Information Act if it is the kind of information that would customarily not be released to the public by the submitter. Your letter indicates that the information contained in your submission is information that is not customarily released to the public.

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 CFR § 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 CFR § 512.10). If necessary, you will be notified prior to the release of any information under the procedures established by our regulations (49 CFR § 512.22(b)).

Sincerely,

Original Signed By

Otto G. Matheke, III
Senior Attorney

