

Patrick M. Raher
Hogan & Hartson LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004

SEP 25 2008

Re: Request for Confidential Treatment/Mercedes-Benz, PE08-030

Dear Mr. Raher:

This responds to your July 11, 2008, letter requesting confidential treatment for Daimler AG and Mercedes-Benz USA, LLC ("Mercedes") material submitted to the National Highway Traffic Safety Administration ("NHTSA" or "Agency") in response to an information request in the above-referenced investigation. The materials are forty-one (41) single-page engineering drawings included on a CD-ROM entitled, "Mercedez-Benz July 11, 2008 PE08-030 Attachment 7 – Engineering Drawings CONFIDENTIAL BUSINESS INFORMATION." You also seek confidential treatment for "engineering drawings" in an unspecified location somewhere within the 248 pages of the file named "PE08-030, Attachment 6, Seat Heater Failure Analysis – CONFIDENTIAL.pdf" on a CD-ROM entitled "Mercedes-Benz July 11, 2008 Response to Information Request PE08-030 Confidential Business Information." On behalf of Mercedes, you request permanent confidential treatment for these materials

Mercedes contends that release of this subject information likely would cause substantial competitive harm. Mercedes states that this data is not public and is not publicly released by Mercedes. Your letter also contains a third party certification from the source of the drawings, Johnson Controls and W.E.T.

I have decided to grant your request.

The submitted materials contain detailed specifications and dimensions and could be used to reproduce the parts in question without further engineering. They are subject to the class determination for blueprints and engineering drawings found in Appendix B of 49 C.F.R. § 512. Accordingly, your request for confidential treatment of the forty-one (41) files and of pages 133 and 141 of the file "PE08-030, Attachment 6, Seat Heater Failure Analysis – CONFIDENTIAL.pdf" is granted.

This grant of confidential treatment will remain in effect for an indefinite period of time, and 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

