

JAN - 8 2009

Stephan J. Speth, Director  
Chrysler LLC  
800 Chrysler Drive  
CIMS 482-00-91  
Auburn Hills, MI 48326-2757

Re: Request for Confidential Treatment for Business Information Submitted in RQ08-005

Dear Mr. Speth:

This responds to your September 19, 2008, request for confidential treatment for information Chrysler LLC ("Chrysler") submitted in response to the National Highway Traffic Safety Administration ("NHTSA" or "Agency") information request RQ08-005. Chrysler requests confidential treatment for Enclosure 8, Enclosure 9, and Enclosure 13 located on one CD-ROM entitled "RQ08-005 Sept. 19, 2008 Confidential Business Information Chrysler". Inergy NAO, a supplier for Chrysler, provided certification that the materials included in Chrysler's submission are confidential. This certification is incorporated into your request. Chrysler requests permanent confidential treatment for this information.

Your request is granted.

I reviewed Chrysler's claim for confidential treatment under the test applied in *National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974) and its progeny. Under that test, information is confidential under Exemption 4 of the Freedom of Information Act, 5 U.S.C. § 552(b)(4), if its disclosure would be likely to cause substantial competitive harm to the submitter or to impair the government's ability to collect the information in the future.

You contend that the confidential material in Enclosures 8, 9, and 10 consist of documents that reveal how Chrysler and Inergy evaluate and test their products and their manufacturing processes. Chrysler contends disclosure of this information would be likely to cause substantial competitive harm because competitors could develop and upgrade their own testing protocols, improve design decisions, and gain insights into Chrysler's and Inergy's operational capacities without incurring the costs of independent development.

I concur with Chrysler's assertion that the information contained in the documents would be likely to cause it and Inergy substantial competitive harm if disclosed to the public

This grant of confidential treatment will remain in effect permanently. 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 procedures established by our regulations (49 C.F.R. § 512.22(b)).

Sincerely,

**Original Signed By**

Otto G. Matheke, III  
Senior Attorney

