

HONDA

American Honda Motor Co., Inc.
1919 Torrance Boulevard
Torrance, CA 90501-2746
Phone (310) 783-2000

NHTSA
WASHINGTON, DC 20590

2008 OCT 30 P 3:37

October 29, 2008

OFFICE OF CHIEF
COUNSEL

Office of the Chief Counsel
NATIONAL HIGHWAY TRAFFIC SAFETY
ADMINISTRATION
1200 New Jersey Ave., SE
Washington, DC 20590

**Re: PE08-026 (2005 Honda Odyssey Power Tailgate)
Request for Reconsideration of Confidential Treatment**

Dear Chief Counsel:

On behalf of American Honda, and Stabilus GmbH, and Stabilus USA ("Stabilus"), I am herewith submitting a Certificate in Support of Request for Confidentiality, for your review. We request your reconsideration of the denial of confidentiality, as stated in your letter of September 29, 2008 which was received in this office on October 2, 2008. This submission is made in accordance with 49 CFR Sect. 512.4(b).

Please advise me of your decision on this matter at your earliest convenience.

Very truly yours,

AMERICAN HONDA MOTOR CO., INC.



William R. Willen
Managing Counsel
Product Regulatory Office

WRW:nis

Enclosure

October 16, 2008

William R. Willen
Managing Counsel
American Honda Motor Co., Inc.
1919 Torrance Blvd.
Torrance, CA 90501-2746

Dear Mr. Willen,

The attached Certification is being provided in response to the September 29, 2008 letter from NHTSA denying Honda's request for confidential treatment of information submitted in response to an agency information request.

Please confirm that Honda will be providing the Certification to NHTSA.

Regards,



Anthony R. Haba

President

STABILUS

1201 Tulip Drive, Gastonia, NC 28052, USA

Tele: 704-810-3600 Fax: 704-869-7628

Email: ahaba@us.stabilus.com

AH/aj

CERTIFICATE IN SUPPORT OF REQUEST FOR CONFIDENTIALITY

I, Anthony Haba, pursuant to the provisions of 49 C.F.R. Part 512, state as follows:

1. I am President of Stabilus USA and I am authorized by Stabilus GmbH and Stabilus USA (collectively "Stabilus") to execute this certificate on its behalf;
2. I certify that the information contained in the "Stabilus Engineering Report – Honda Odyssey Warranty Summary, 7/10/08" and the development drawings of the Honda Odyssey Power Liftgate provided to the National Highway Traffic Safety Administration in the matter of PE08-026 (2005 Honda Odyssey Pwer Liftgate) 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)(as incorporated by reference in and modified by the statute under which the information is being submitted);
3. I hereby request that the information contained in the "Stabilus Engineering Report – Honda Odyssey Warranty Summary, 7/10/08" and the development drawings of the Honda Odyssey Power Liftgate provided to the National Highway Traffic Safety Administration in the matter of PE08-026 (2005 Honda Odyssey Pwer Liftgate) be protected from disclosure as disclosure of this information would result in significant competitive damage to Stabilus.
4. This certification is based on the information provided by the responsible Stabilus 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 Stabilus;

5. Based upon that information, to the best of my knowledge, information and belief, the information for which Stabilus has claimed confidential treatment has never been released or become available outside Stabilus except as required as part of this NHTSA investigation.

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 Stabilus because of unauthorized or inadvertent disclosure.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on the 15 day of October, 2008.



SUBSCRIBED and SWORN to before
me this 15 day of October, 2008.


NOTARY PUBLIC

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Expires: Sept. 13, 2010