



July 17, 2008

Mr. Anthony Cooke
Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, D.C. 20590

RE: Confidentiality of Information Provided in Response to PE08-029

Dear Mr. Cooke:

This letter requests confidential treatment under 49 U.S.C. Part 512 for material contained in attachments in a letter to Mr. Jeffrey L. Quandt in response to an information request in PE08-029. Pursuant to 49 C.F.R. Part 512, this request attaches two complete versions of the letter to Mr. Quandt, and a single public version of the response with confidential information redacted in their entirety. The redacted attachments are marked "CONFIDENTIAL BUSINESS INFORMATION" in accordance with 49 C.F.R. § 512.6(b).

The confidential materials include Engineering Drawings, an Engineering Order, an Assembly Procedure and a Material Specification that contain proprietary information regarding Hyundai's manufacturing and engineering techniques. All materials are considered to be Confidential, as follows:

Attachment G Drawings:

Part Number	Part Name
03541-38000	INSTL - FR SUSP
62405-38100	CROSSMEMBER COMPL
62410-38100	CROSSMEMBER ASSY - FR
62430-38200	LEFT MBR & BRKT ASSY
62431-38200	REINF ASSY - FR X/MBR, LH
62433-38200	UPR MBR - LEFT
62436-38200	REINF - LEFT MBR, LWR
62450-38200	RIGHT MBR & BRKT ASSY

Attachment I Engineering Order
Attachment K Assembly Procedure
Attachment O Material Specification

Hyundai-Kia America Technical Center Inc.
6800 Geddes Road, Superior Township, MI 48198
TEL: 734-337-9499 FAX: 734-483-5919
www.hatci.com

HATCI is an authorized representative of both Hyundai Motor Company and Kia Motors Corporation; which are separate and distinct automotive manufacturers.

Hyundai-Kia America Technical Center, Inc

Engineering drawings containing process and production data are presumed by NHTSA to be confidential under Appendix B to Part 512 because of the high likelihood that disclosure to the public would result in substantial competitive harm. The engineering drawings are thus subject to a class determination under Appendix B and are entitled to confidential treatment under 49 C.F.R. § 512.16.

Engineering drawings, as well as engineering and materials specifications and procedures, are also entitled to confidential treatment under National Parks and Conservation Association v. Morton, 498 F.2d 765 (D.C. Cir. 1974) because they are confidential commercial information, the release of which is likely to cause competitive harm. The National Parks basis for confidential treatment has been incorporated into the Agency's regulations at 49 C.F.R. § 512.3(c)(2)(i) (confidential commercial information).

The materials for which confidential treatment is sought depict design and engineering specifications that are unique to Hyundai's vehicle design and, as such, represent proprietary and confidential business information. These materials could be used by competitors to gain insight into Hyundai's engineering and production policies and procedures, leading to greater understanding of Hyundai's proprietary practices. Additionally, they could provide competitors with insight into Hyundai's engineering practices, allowing them to project Hyundai's engineering and development costs. Disclosure of this material could result in substantial competitive harm to Hyundai.

The material for which confidentiality is sought has not been publicly disclosed. Hyundai has taken measures to ensure that the information has not been disclosed or otherwise made available to any persons outside of Hyundai. Hyundai has attached the required certificate in support of confidentiality. Hyundai requests confidentiality be granted indefinitely, or until such time as the information is no longer held confidential by the company.

We would appreciate your notifying us of your decision regarding this confidentiality request. Please forward your response to:

Robert Babcock
Senior Manager, Regulation and Certification Department
Hyundai-Kia America Technical Center, Inc.
6800 Geddes Road
Superior Township, MI 48198

Telephone: 734-337-2341

Thank you for your consideration of this request.

Sincerely,



Robert Babcock
Senior Manager, Regulation and Certification Department

Hyundai-Kia America Technical Center, Inc

Attachments:

Two complete versions of submission
One redacted version of submission
Certificate in Support of Request for Confidentiality

Cc: Mr. Jeffrey L. Quandt

Certificate in Support of Request for Confidentiality

I, Robert Babcock, pursuant to the provisions of 49 CFR part 512, state as follows:

- (1) I am Robert Babcock, the Senior Manager, Regulation and Certification Department and I am authorized by Hyundai to execute this certificate on its behalf;
- (2) I certify that the information contained in the materials provided in response to PE08-029 **and for which confidential treatment is sought** is confidential and proprietary data and is being submitted with the claim that it is entitled to confidential treatment under 5 U.S.C. Sec. 522(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 these materials be protected as confidential without time limitation;
- (4) This certification is based on the information provided by the responsible Hyundai 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 Hyundai;
- (5) Based upon that information, to the best of my knowledge, information and belief, the information for which Hyundai has claimed confidential treatment has never been released or become available outside Hyundai;
- (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 Hyundai because of unauthorized or inadvertent disclosure except as stated in Paragraph 5; and
- (7) I certify under penalty of perjury that the foregoing is true and correct. Executed on this the 17th day of July, 2008.

Robert Babcock

Robert Babcock
Senior Manager, Regulation and Certification Department
Hyundai-Kia America Technical Center, Inc.