



2009 JAN 07 10:00 AM

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**James P. Vondale, Director**  
Automotive Safety Office  
Environmental & Safety Engineering

**Fairlane Plaza South**  
330 Town Center Drive  
Dearborn, MI 48126-2738 USA

January 7, 2009

**Mr. Anthony M. Cooke**  
Chief Counsel  
Office of the Chief Counsel  
National Highway Traffic Safety Administration  
1200 New Jersey Avenue, S.E.  
Washington, D.C. 20590

**Subject: Petition for Reconsideration of NHTSA's Partial Denial of Confidential Treatment of Documents Submitted in Response to RQ08-003/NVS-212lh**

Dear Mr. Cooke:

Pursuant to 49 CFR Part 512.19, this is a petition for reconsideration of the agency's December 4, 2008 response to the August 15, 2008 request by Ford Motor Company (Ford) for confidential treatment of certain documents submitted in response to the agency's June 25, 2008 inquiry, RQ08-003.

Based on our review of your December 4, 2008 letter and our re-review of the documents in question, Ford is now respectfully requesting the agency to reconsider its decision regarding one of the documents for which it previously denied confidential treatment.

The agency denied Ford's request for confidentiality as to the attached document contained in the category described as "Conf Bus Info 8D" (RQ08-003 00001-00009) on the grounds that Ford's request did not include a supplier certification in support of confidentiality for the document. The agency concluded that the document required a supplier certificate based on Ford's description of the document in Attachment 2 as a "study prepared by a supplier." In fact, Ford's description was incorrect. The document at issue is a Ford document that was prepared by a Ford employee. A corrected version of Attachment 2 is attached. I apologize for the inconvenience caused by our mistake.

This letter provides further support for Ford's claim of confidentiality in accordance with 49 CFR Part 512.8. Ford requests confidential treatment for the document contained in the category described as Conf Bus Info 8D because the document contains confidential business information, the disclosure of which would likely cause substantial competitive harm to Ford (as contemplated in 49 CFR § 512.15, 5 and U.S.C. § 552(b)(4)).

Ford information of the types listed are maintained under a record keeping system which is intended to control dissemination of this material within Ford, and to assure that the material is not disseminated outside of Ford, except as described in the attached certification, which is



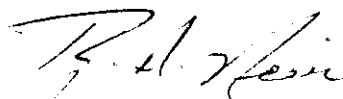
made pursuant to 49 CFR Part 512.4(b). With the exception of the agency's letter from which Ford makes this request for reconsideration, neither NHTSA nor other Federal agencies nor Federal courts have made determinations relating to the confidentiality of the document at issue or similar information, to the best of our knowledge.

Ford requests that the document be granted confidential treatment by the agency for a period of ten years. Earlier disclosure of the document, in Ford's opinion, would result in substantial competitive harm.

In the event that the agency should conclude that all or part of the submitted information is not to be given confidential treatment, Ford asks the agency to provide reasonable notice of not less than ten working days prior to any contemplated disclosure in order that Ford may pursue such legal remedies as it may choose. Please direct all written notices to me at Ford Motor Company, Suite 500, Fairlane Plaza South, 330 Town Center Drive, Dearborn, Michigan 48126. Please direct all non-written communication to Mr. Paul Fabien who may be contacted by telephone at (313) 621-1656.

Thank you for your continuing courtesy.

Sincerely,



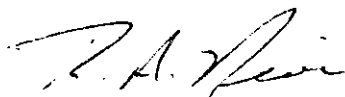
James P. Vondale

Attachment

**CERTIFICATE IN SUPPORT OF REQUEST  
FOR CONFIDENTIALITY**

I, R. A. Nevi, pursuant to the provisions of 49 CFR Part 512, state as follows:

1. I am Assistant Director, Global Automotive Safety Compliance, Automotive Safety Office, and I am authorized by Ford Motor Company (Ford) to execute documents of this nature on behalf of Ford;
2. The information contained in the attachment to Ford's letter to NHTSA's Office of the Chief Counsel dated January 7, 2009 contains confidential and proprietary data and is submitted with the claim that it is entitled to confidential treatment under 5 U.S.C., § 552(b)(4);
3. A member of my staff has inquired of the responsible Ford personnel who have authority in the normal course of business to release the type of information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside Ford;
4. Based upon such inquiries, to the best of my knowledge, information and belief, the information for which Ford has claimed confidential treatment has never been released or become available outside Ford except as hereinafter specified:
  - Portions of these documents may have been or may be shared with Ford suppliers with the expectation that they will be kept confidential.
  - During the course of defending itself in litigation, Ford may have been, or may be required to produce such information.
5. 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 Ford because of unauthorized or inadvertent disclosure, except as stated in Paragraph 4; and
6. I certify under penalty of perjury that the foregoing is true and correct. Executed on this the 7th day of January 2009.



R. A. Nevi