

TOYOTA

TOYOTA MOTOR NORTH AMERICA, INC.

WASHINGTON OFFICE

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June 26, 2009

Mr. Stephen P. Wood, Chief Counsel
Office of Chief Counsel, NCC-110
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Subject: NVS-212am; PE09-019
Confidential Information

Dear Mr. Wood:

In accordance with 49 CFR 512.4, enclosed is Toyota's response to NHTSA's May 6, 2009 letter concerning PE09-019, a defect investigation into Toyota Prius vehicles.

Toyota claims that the single, red-marked portion of the information contained in the one-page document entitled "Attachment-Response 6-1" contains extended warranty sales information that can be used by competitors to calculate Toyota's sales margins on extended warranties, which if released, could cause competitive harm. Toyota requests that this material be treated confidentially for the next ten years (June 26, 2019).

If this request and supporting affidavit are found to be insufficient to establish Toyota's entitlement to confidential treatment, we ask that, pursuant to 49 CFR 512.19, you afford us the opportunity to supplement this request.

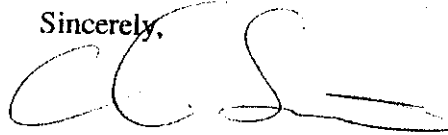
Enclosed you will find three sets of the response documents. Per 49 CFR 512, one set of documents contains the complete response including the confidential information, one contains the response with the confidential information removed, and one contains only the confidential information. There is no claim that any of the electronic attachments in our response to the Office of Defects Investigation inquiry contain confidential information, and, as such, they have been removed from your copies of the documents.

TOYOTA
WASHINGTON, DC 20590
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OFFICE OF CHIEF
COUNSEL

Office of Chief Counsel
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If you have any questions about these materials, please contact Mr. Chris Santucci at (202) 775-1707.

Sincerely,



for Chris Tinto
Vice President
TOYOTA MOTOR NORTH AMERICA, INC.

CT:cs

Enclosures

Enclosure 1:

Affidavit in Support of Request for Confidential Treatment

Enclosure 2:

Response to ODI Inquiry –Confidential Information Included, Electronic Attachments Removed

Enclosure 3:

Response to ODI Inquiry –Confidential Information Removed, Electronic Attachments Removed

Enclosure 4:

Response to ODI Inquiry –Confidential Information Only

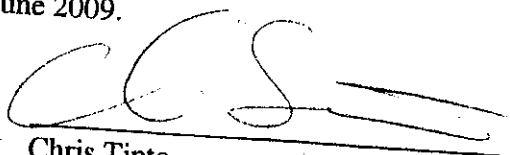
Enclosure 1:

CERTIFICATE IN SUPPORT OF
REQUEST FOR CONFIDENTIALITY

I, Chris Tinto, pursuant to the provisions of 49 CFR 512, state as follows:

- (1) I am Chris Tinto, Vice President, Toyota Motor North America, Inc., and I am authorized by Toyota Motor Corporation (Japan) to execute this certificate on its behalf;
- (2) I certify that the information contained in "Attachment-Response 6-1" of the response to NHTSA's May 6, 2009 letter [NVS-212am; PE09-019] 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 "Attachment-Response 6-1" be protected until June 26, 2019;
- (4) This certification is based on the information provided by the responsible Toyota Motor Corporation and affiliate 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 Toyota Motor Corporation;
- (5) Based upon that information, to the best of my knowledge, information and belief, the information for which Toyota Motor Corporation and their affiliates have claimed confidential treatment has never been released or become available outside Toyota Motor Corporation or their affiliates;
- (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 Toyota Motor Corporation and their affiliates 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 26th day of June 2009.

Executed on this, the 26th day of June 2009.


for Chris Tinto
Vice President
TOYOTA MOTOR NORTH AMERICA, INC.