

Mazda North American Operations

WASH DC 20590

2010 JAN 14 P 5:08



MAZDA

OFFICE OF THE CHIEF COUNSEL

Office of the Chief Counsel
National Highway Traffic Safety Administration
Suite W41-227
1200 New Jersey Avenue, SE
Washington, DC 20590

January 13, 2010

Request for a Confidential Treatment of Information

Dear Sir or Madam:

The NHTSA has opened a Preliminary Evaluation to investigate allegations of clutch pedal assembly mounting bracket failure in model year 2004 through 2006 Mazda RX8 vehicles manufactured by Mazda, and to request certain information (NVS-213dlr/PE09-045). Mazda is requesting portion of our submission be treated as confidential business information.

Mazda is requesting that the design information for the subject vehicle in our submission be treated as confidential business information. The information that we are claiming as confidential has not been shared outside of Mazda, nor disclosed publicly, other than it was sent to your office in our response to the information request for PE09-045 on January 13, 2010. It would result in substantial competitive harm since it relates to design information where the vehicle could not be manufactured without the information. We are requesting that the design information be protected until the termination of the production of the vehicle.

I have enclosed the certification required, two CD-ROMs which contain the document including the confidential information, and a CD-ROM which contains the document with the confidential information removed.

Please provide your response or direct any questions you may have to me at the address below.

Sincerely,

for


David Robertson, Groups Manager
Environmental and Safety Engineering
Mazda North American Operations
1500 Enterprise Drive
Allen Park, MI 48101
Tel: 313-594-7778

enclosures

Certificate in Support of Request for Confidentiality

I, David Robertson, pursuant to the provisions of 49 CFR part 512, state as follows:

(1) I am the Group Manager of the Environmental Safety and Engineering and Powertrain Engineering Departments at Mazda North American Operations and I am authorized by Mazda Motor Corporation to execute this certificate on its behalf;

(2) I certify that the information contained on the pages labeled "Confidential Business Information" in the enclosed documents 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 future model projected sales volume be protected until the termination of the production period for the model year vehicle to which the information pertains;

(4) This certification is based on the information provided by the responsible Mazda Motor Corporation 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 Mazda Motor Corporation;

(5) Based upon that information, to the best of my knowledge, information and belief, the information for which Mazda Motor Corporation has claimed confidential treatment has never been released or become available outside Mazda Motor Corporation;

(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 Mazda Motor Corporation 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 13 day of January, 2010.


David Robertson, Group Manager
Environmental and Safety Engineering
Mazda North American Operations

for