



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

MAY 10 2010

1200 New Jersey Avenue SE.
Washington, DC 20590

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dennis P. Thornton
Vice President, General Manager
CTS Corporation
Automotive Products
1142 West Beardsley Avenue
Elkhart, IN 46514

NVS-212jfa
PE10-012

Dear Mr. Thornton:

The Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) is conducting an investigation (PE10-012) to investigate allegations of sticking Electronic Throttle Control (ETC) accelerator pedal assemblies i.e., the accelerator pedals do not return to the idle position when they are released, in model year (MY) 2007 Dodge Caliber vehicles manufactured by Chrysler Group, LLC (Chrysler). To assist us at this stage of the investigation, we are requesting certain information concerning the ETC accelerator pedal assemblies supplied to Chrysler by CTS Corporation (CTS) for use in those vehicles and any other make or model vehicles sold in the United States.

ODI conducts investigations of potential safety defects in motor vehicles and items of motor vehicle equipment under the authority of the National Traffic and Motor Vehicle Safety Act of 1966, as amended, 49 U.S.C. Chapter 301 (49 U.S.C. § 30166). The purpose of these investigations is to determine whether manufacturers, suppliers or both should conduct defect notification and recall campaigns to reduce the potential for crashes, injuries and deaths, in accordance with 49 U.S.C. §§ 30118, 30120.

Unless otherwise stated in the text, the following definitions apply to these information requests:

- **Subject vehicles:** all model year 2007 Dodge Caliber vehicles manufactured for sale or lease in the United States.
- **Subject components:** the electronic throttle control (ETC) accelerator pedal assembly.
- **CTS:** CTS Corporation, all of its past and present officers and employees, whether assigned to their principal offices or any of their field or other locations, including all of their divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all



agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of CTS (including all business units and persons previously referred to), who are or, in or after 2000, were involved in any way with any of the following related to the alleged defect in the subject components:

- a. Design, engineering, analysis, modification or production (e.g. quality control);
- b. Testing, assessment or evaluation;
- c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
- d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.

- **Alleged defect:** any failure, malfunction, or other such abnormal condition(s) of the subject component that results in unwanted vehicle acceleration or engine power, or a failure of the accelerator pedal to return to the idle position.
- **Document:** "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by CTS, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available,

"document(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by the CTS or not. If a document is not in the English language, provide both the original document and an English translation of the document.

- **Other Terms:** To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as CTS has previously provided a document to ODI, CTS may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please repeat the applicable request verbatim above each response. After CTS's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State the number of each of the following that CTS has manufactured that may be used in the subject vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (including the cut-off date for sales, if applicable):
 - a. Subject component(s); and
 - b. Any kits that have been released, or developed, by CTS for use in service repairs to the subject component(s)/assembly.

Also identify by make, model and model year, any other vehicles of which CTS is aware that contain (use) the identical component, whether installed in production or in service, and state the applicable dates of production or service usage. State specifically whether or not an identical component is produced for Mitsubishi, and if not, explain what differentiates a CTS supplied Mitsubishi accelerator pedal from the subject component.

2. Four of the ODI complainants reported that they found either one or two "bushings" on the driver's side floor after an incident of accelerator pedal sticking. ODI obtained a malfunctioning pedal that had been replaced and notes that the bushings act as bearings for

the accelerator pedal arm pivot shaft in the ETC housing. Identify and describe what causes the bearings to come out of the ETC housing.

3. Describe all part return (warranty return) assessments, or other analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject components that have been conducted, are being conducted, are planned, or are being planned by, or for, CTS or Chrysler. For each such action, provide the following information:
 - a. Action title or identifier;
 - b. The date the returned part(s) was(were) received;
 - c. The actual or planned start date;
 - d. The actual or expected end date;
 - e. Brief summary of the subject and objective of the action;
 - f. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and,
 - g. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

4. Describe all modifications or changes made by, or on behalf of, CTS in the design, material composition, manufacture, quality control, supply, or installation of the subject component, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles. For each such modification or change, provide the following information:
 - a. The date or approximate date on which the modification or change was incorporated into production;
 - b. A detailed description of the modification or change;
 - c. The reason(s) for the modification or change;
 - d. The part numbers (service and engineering) of the original component;
 - e. The part number (service and engineering) of the modified component;
 - f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when, and,
 - g. Whether the modified component can be interchanged with earlier production components.

This letter is being sent to CTS pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports and the production of things. It constitutes a new request for information. CTS's failure to respond promptly and fully to this letter could subject CTS to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) Section 5(a) of the TREAD Act, codified at 49 U.S.C. § 30165(b), provides for civil penalties of up to \$6,000 per day, with a maximum of \$16,375,000 for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. *See* 49 CFR 578.6 (as amended by 71 Fed. Reg. 28279 (May 16, 2006)). This includes failing to respond to ODI information requests.

If CTS cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, CTS does not submit one or more requested documents or items of information in response to this information request, CTS must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

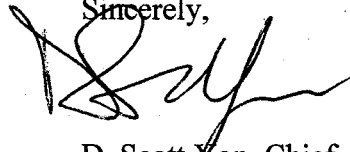
CTS's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by June 4, 2010. **All business confidential information must be submitted directly to the Office of Chief Counsel as described in the following paragraph and should not be sent to this office.** In addition do not submit any business confidential information in the body of the letter submitted to this office. Please refer to PE09-049 in CTS's response to this letter and in any confidentiality request submitted to the Office of the Chief Counsel. If CTS finds that it is unable to provide all of the information requested within the time allotted, CTS must request an extension from me at (202) 366-0139 no later than five business days before the response due date. If CTS is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information CTS then has available, even if an extension has been granted.

If CTS claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b) (4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, CTS must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, as amended (69 Fed. Reg. 21409 et seq; April 21, 2004), to the Office of Chief Counsel (NCC-111), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. CTS is required to **submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.** Please remember that the word "CONFIDENTIAL" must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 5 U.S.C. § 512.6.

Please send email notification to John Abbott (John.Abbott@dot.gov) and to ODI_IRresponse@dot.gov when CTS sends its response to this office and indicate whether there is confidential information as part of CTS's response.

If you have any technical questions concerning this matter, please call John Abbott of my staff at (202) 366-5221.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Scott Yon", written over the word "Sincerely,".

5/6/06

D. Scott Yon, Chief
Vehicle Integrity Division
Office of Defects Investigation