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CTS

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April 22, 2010

Mr. O. Kevin Vincent
Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE.,
West Building W41-227,
Washington, DC 20590.

Re: Request for Confidential Treatment for Information Provided in EQ 10-002

Dear Mr. Vincent:

CTS Corporation ("CTS") is submitting information to the NHTSA Office of Defect Investigation in connection with the above-referenced EQ.

By way of background, the Automotive Products business unit of CTS is a supplier of accelerator pedal assemblies to motor vehicle manufacturers (OEM's). The automotive industry is highly competitive and closely guards against the public disclosure of information about operations, including sales volumes and customer identities. This confidential submission seeks to balance the need to prevent competitive harm to CTS and certain of its suppliers and OEM customers, while at the same time providing information that may be of assistance to the agency in the subject investigation.

CTS has determined that the information and documents described in the Confidentiality Log, attached hereto as Exhibit A, should be accorded confidential treatment under this agency's regulations at 49 C.F.R. Part 512 and Exemption 4 of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552(b)(4). Therefore, CTS is submitting the information, together with this request for confidential treatment and the certificates required by your regulations, to the Office of Chief Counsel.

The information required by Part 512 is set forth below.

A. Description of the Information (49 C.F.R. § 512.8(a))

The information for which CTS is seeking confidential treatment consists of highly confidential engineering documentation and analysis more fully described in Exhibit A to this letter.

B. Confidentiality Standard (49 C.F.R. § 512.8(b))

The confidentiality standard applicable to this request is the one set forth in 49 C.F.R. § 512.15(b) for information that a submitter is required to provide to the agency. Under this standard, information qualifies for confidential treatment if its disclosure would be likely to result in substantial harm to the competitive position of the submitter or of the entity that originally prepared the information.

C. Justification for Confidential Treatment (49 C.F.R. § 512.8(c))

Under this agency's regulations and FOIA Exemption 4, information should be withheld if its disclosure would be likely to cause substantial competitive harm to the submitter. *See, e.g., National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974); 49 C.F.R. § 512.15(b). FOIA Exemption 4 was enacted to prevent disclosures that would "eliminate much of the time and effort that would otherwise be required to bring to market a product competitive with the [submitter's] product." *Public Citizen Health Research Grp. v. FDA*, 185 F.3d 898, 905 (D.C. Cir. 1999). "Because competition in business turns on the relative costs and opportunities faced by members of the same industry, there is a potential windfall for competitors to whom valuable information is released under FOIA. If those competitors are charged only minimal FOIA retrieval costs for the information, rather than the considerable costs of private reproduction, they may be getting quite a bargain. Such bargains could easily have competitive consequences not contemplated as part of FOIA's principal aim of promoting openness in government." *Worthington Compressors, Inc. v. Costle*, 662 F.2d 45, 51 (D.C. Cir. 1981).

The documents and information described in Exhibit A should be protected under this standard. This information would provide competitors with insights into proprietary design information, engineering testing and analysis, and the problem solving capabilities of CTS and its valued OEM customers and suppliers. Disclosure of such information would provide competitors and potential competitors virtually free access to proprietary information and a competitive advantage that they otherwise would not have. Additional justification for each document or category of document/information listed in Exhibit A is contained in the "Confidentiality Justification" column of the log.

D. Class Determination (49 C.F.R. § 512.8(d))

The information for which confidential treatment is being sought does not come within a class determination.

E. Duration For Which Confidential Treatment Is Sought (49 C.F.R. § 512.8(e))

Because CTS anticipates that the information will retain its competitive value indefinitely, CTS requests that the information be accorded confidential treatment permanently.

F. Contact Information (49 C.F.R. § 512.8(f))

Please direct all inquiries and responses to the undersigned at the address, telephone number, and email address shown on the first page of this letter.

* * *

If you receive a request for disclosure of the information for which confidential treatment is being sought before you have completed your review of our request, CTS respectfully requests notification of the request(s) and an opportunity to provide further justification for the confidential treatment of this information, if warranted.

Very truly yours,

CTS Corporation

Richard G. Cutter III
Vice President, General Counsel
and Secretary

cc: Otto Matheke, Esq.
Kathleen DeMeter

CERTIFICATE IN SUPPORT OF REQUEST FOR CONFIDENTIALITY

I, Richard G. Cutter III, pursuant to the provisions of 49 C.F.R. Part 512, state as follows:

(1) I am CTS Corporation's Vice President, General Counsel and Secretary and I am authorized by CTS to execute documents on its behalf;

(2) I certify that the documents and information detailed in CTS's April 22, 2010 Confidentiality Log 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);

(3) I hereby request that the information contained in the indicated document be protected on a permanent basis;

(4) This certification is based on the information provided by the responsible CTS 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 of CTS;

(5) Based upon that information, to the best of my knowledge, information and belief, the information for which CTS has claimed confidential treatment has never been released or become available outside of CTS except for disclosures to selected customers and contractors under agreements to preserve the confidentiality of the information;

(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 of CTS 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 22nd day of April, 2010.

Richard G. Cutter III
Vice President, General Counsel and Secretary
CTS Corporation

Exhibit A

Confidentiality Request Document Log
For CTS Corporation's (the "Company's") Submission to NHTSA dated April 22, 2010

Enclosure #	Document Date	Document Title	Document Description	Bates Range	Confidentiality Justification	Source
1	04/22/2010	705 Condensation Cycling Results.pdf	Condensation cycling results for Honda 705 series pedals	CTS-NHTSA-0006935 – CTS-NHTSA-0006940	Confidential on the grounds that this document reveals problem-solving capabilities, product evaluation procedures, testing analysis of the Company.	CTS
1	02/01/2010	Water Expose Report 01Feb10.pdf	Water Exposure Experiment Report for Chrysler and MMC 700 series pedals	CTS-NHTSA-0006941 – CTS-NHTSA-0006958	Confidential on the grounds that this document reveals problem-solving capabilities, product evaluation procedures, testing analysis of the Company.	CTS