

DEC 29 2011

M. Carmen Benavides, Director
Product Investigations and Safety Regulations
General Motors LLC
Mail Code 480-210-2V1
30001 Van Dyke
Warren, MI 48090

Re: Request for Confidential Treatment/EA11-003

Dear Ms. Benavides:

This letter responds to your August 11, 2011 request for confidential treatment for General Motors LLC ("GM") information submitted to the National Highway Traffic Safety Administration in the above referenced investigation. You request that these materials be granted confidential treatment indefinitely.

GM provided this information voluntarily. Accordingly, I have reviewed your request under the principles set forth in *Critical Mass Energy Project v. Nuclear Regulatory Comm'n*, 975 F.2d 871 (D.C. Cir. 1992). Under the test set forth in *Critical Mass*, financial or commercial information provided to the government on a voluntary basis is "confidential" for purposes of Exemption 4 of the Freedom of Information Act (5 U.S.C. § 552(b)(4)) if it is the kind of information that would customarily not be released to the public by the submitter. Your request indicates that the information contained in the materials you submitted is information that GM would not customarily release to the public. Review of the information indicates that it is not publicly available. Accordingly, I am granting your request for confidential treatment for the information contained in your submission.

Subject to the conditions described below, this grant will remain in effect indefinitely.

This grant of confidential treatment is subject to certain conditions. The information may be disclosed under 49 C.F.R. § 512.22 based upon newly discovered or changed facts, and you must inform the agency of any changed circumstances that may affect the protection of the information (49 C.F.R. § 512.10). If necessary, you will be notified prior to the release

of any information under the procedures established by our regulations (49 C.F.R. § 512.22(b)). Furthermore, this information may be disclosed if such disclosure would be in the public interest, pursuant to the procedures established in 49 C.F.R. § 512.23.

Sincerely,

Original Signed By

Otto G. Matheke, III
Senior Attorney

