

MAR 9 2012

Steven M. Kenner
Automotive Safety Office
Environmental & Safety Engineering
Ford Motor Company
330 Town Center Drive
Dearborn, MI 48126-2738

Re: Request for Confidential Treatment / PE11-003

EA11009

Dear Mr. Kenner:

This responds to your September 23, 2011 letter requesting confidential treatment for information submitted by Ford Motor Company (Ford) in response to a September 8, 2011 informal request by Jeff Quandt of the National Highway Traffic Safety Administration Office of Defect Investigations. The information is contained on two identical CD ROMs labeled "Confidential Business Information EA11-009 Ford Motor Company September 23, 2011." Ford requests confidential treatment for a period of ten years.

Your request contains information on a rig wheel attachment test and the results of this test. Ford 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 Ford 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 to the information contained in your submission.

Subject to the conditions below, this grant of confidential treatment will remain in effect for a period of ten years.

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,

Lloyd S. Guerci



Otto G. Matheke, III
Senior Attorney

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