



James P. Vondale, Director
Automotive Safety Office
Environmental & Safety Engineering

Fairlane Plaza South
330 Town Center Drive
Dearborn, MI 48126-2738 USA

March 25, 2011

Mr. Oakley Kevin Vincent
Chief Counsel
Office of the Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE, Room W41-322
Washington, DC 20590

Dear Mr. Vincent:

Subject: Request Under 49 CFR Part 512 for Confidential Treatment of Information
Regarding PE11-003

This letter requests confidential treatment and supports Ford's claim of confidentiality for confidential business information in accordance with 49 CFR § 512.8 and 5 U.S.C. § 552(b)(4). Ford is submitting documents in response to the agency's February 8, 2011 request for information related to their PE11-003 investigation into wheel stud fracture on 2009 through 2011 model year Ford Fusion, Lincoln MKZ, and Mercury Milan vehicles.

Two copies of confidential information referenced in the Ford Motor Company (Ford) March 25, 2011 response are provided on the enclosed compact discs. Also for your reference, Attachment 1 is a copy of the non-confidential portion of Ford's response to the Office of Defects Investigation's information request.

Ford requests protection from public disclosure for the documents because the documents contain confidential business information within the meaning of 49 C.F.R. § 512.3 and 512.15, and meet the following requirements:

1. The documents contain information that is not customarily released to the public by Ford.
2. Competitive Harm Test (established in *National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974), and its progeny, and set forth in 49 CFR § 512.15(b)): The documents contain confidential business information, the public disclosure of which would likely cause substantial competitive harm to Ford as further explained below.



Ford's request for confidential treatment includes documents from the following categories: 8D, cost, critical concern review group (CCRG), engineering drawings, engineering specifications, passcodes, root cause analysis, supplier capabilities, test results and test procedures. A description of Ford's rationale is contained in the following three paragraphs and is supplemented in the table provided in Attachment 2.

Release of these documents (8D, CCRG, drawings, specifications, root cause analysis, test results, test procedures) would allow competitors to refine and improve their vehicles, components, and processes without the need to invest similarly substantial resources and time as Ford has done. Not only do these documents provide Ford's proprietary processes for testing and assessing vehicles and components they also provide Ford's criteria for acceptance of vehicle and/or component designs. These documents may be used to copy Ford designs.

Release of cost information as well as documents containing Ford's assessment of supplier capability could be used by competitors to modify their competitive strategies, provide an unfair advantage in negotiating supply costs, and identify quality issues without investing similarly substantial resources and time as Ford has done.

Release of passcodes for Ford's teleconference system could be used by Ford's competitors to access meetings where commercially sensitive information is being discussed and gain valuable information that they could use to modify their competitive strategies.

Ford documents of the types stated are maintained under a record keeping system which is intended to control dissemination of this material within Ford, and to assure that the material is not disseminated outside of Ford, except as described in the attached certification (Attachment 3), which is made pursuant to 49 CFR § 512.4(b). Ford is also providing three supplier certifications (Attachments 4 through 6) for supplier documents that are included on the enclosed compact discs.

The compact discs containing copies of the documents is labeled "CONFIDENTIAL" and documents contained in the electronic files are marked either "ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION" or "CONFIDENTIAL BUSINESS INFORMATION" as appropriate, in the top margin, as part of this response. Ford notes that these PDF documents were created using Adobe Acrobat 9.0 Professional and must be printed by selecting "document and comments" or "document and markups" in order to print the appropriate bracket markings.

Ford requests that these documents be granted confidential treatment by the agency for a period of ten years. Earlier disclosure of these documents, in Ford's opinion, would result in substantial competitive harm.

In the event that the agency should conclude that all or part of the submitted information is not to be given confidential treatment, Ford asks the agency to provide reasonable notice of not less than ten working days prior to any contemplated disclosure in order that Ford may pursue such legal remedies as it may choose. Please direct all written notices to me at Ford Motor Company, Suite 400, Fairlane Plaza South, 330 Town Center Drive, Dearborn, Michigan 48126. Please direct all non-written communication to Mr. Alan Prescott who may be contacted by telephone at (313) 390-5621.

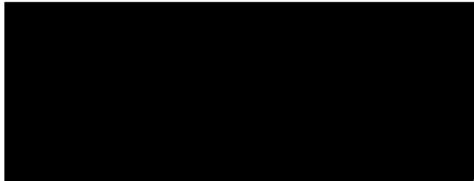
Mr. Oakley Kevin Vincent

-3-

March 25, 2011

Thank you for your continuing courtesy.

Sincerely,



James P. Vondra



Attachments (6)

Enclosures (2)