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

1200 New Jersey Avenue SE
Washington, DC 20590

SEP 20 2012

Sent via USPS Certified Mail

President / General Counsel
Terex South Dakota, Inc.
500 Oakwood Rd
Watertown, SD 57201

NVS-215aa
EQ12-001
11E-045

Subject: Second Request for Information- Response Required

Dear Sir or Madam:

On August 16, 2012, we wrote to your company as part of an ongoing investigation being conducted by the National Highway Traffic Safety Administration (NHTSA) about a safety issue involving certain defective Sure Power, Inc. battery separators that were sold to your company for possible installation into motor vehicles. Your company's response to that letter was due to NHTSA within 10 days of receipt. At this time, we have not received your response.

This letter is being sent in order to remind your company that it must respond to the earlier letter and that your company may have additional obligations under Federal law as we explained in the earlier letter.

A written response to our earlier letter must be submitted to this office within 7 days of your receipt of this letter. Response submission may be made by US Mail to the address listed therein, fax to (202) 366-7882, or e-mail alexander.ansley@dot.gov.

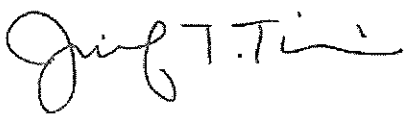
If your company claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Your company must submit supporting information 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. Your company 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.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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 $17,350,000 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 75 Fed. Reg. 79978 (Dec. 21, 2010)). This includes failing to respond to ODI information requests.

I urge your company to comply with this information request in order to ensure that these important issues relating to motor vehicle safety are promptly addressed, and in order to avoid a potential enforcement action against the company in addition to substantial penalties for its failure to respond to an inquiry issued during an official investigation.

Should you have any questions regarding this inquiry, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov.

Sincerely,



Jennifer T. Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosures

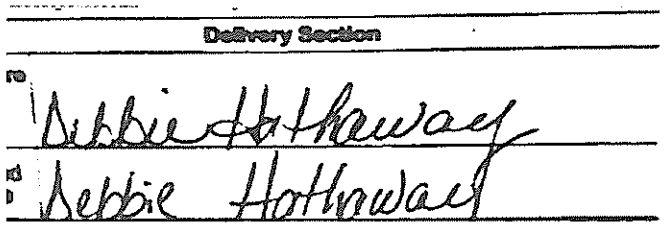
UNITED STATES POSTAL SERVICE

Date Produced: 08/27/2012

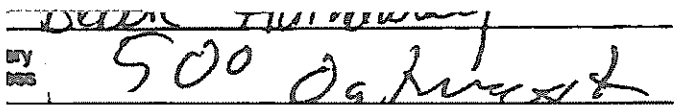
US DEPARTMENT OF TRANSPORTATION - NATION

The following is the delivery information for Certified Mail™ item number 7179 1000 1647 6547 0272. Our records indicate that this item was delivered on 08/20/2012 at 10:54 a.m. in WATERTOWN, SD, 57201. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United TEREX

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

1200 New Jersey Avenue SE
Washington, DC 20590

AUG 16 2012

Via USPS Certified Mail
Warranty / Compliance Department
Terex South Dakota, Inc.
500 Oakwood Rd
Watertown, SD 57201

NVS-215aa
EQ12-001
11E-045

Re: Safety Recall 11E-045

Dear Sir or Madam:

The Office of Defects Investigation (ODI), Recall Management Division (RMD) is conducting an equipment query (EQ) investigation in relation to certain Sure Power, Inc. (Sure Power) battery separators that the manufacturer has decided contain a safety related defect that could cause a vehicle fire. This investigation has been assigned the identification EQ12-001.

In a letter dated October 20, 2011, Sure Power notified the NHTSA that it had decided certain Sure Power battery separators contain a safety related defect. Sure Power stated that certain battery separators, shipped to various distributors and vehicle manufacturers between February 2009 and June 2011, may experience an internal circuit board capacitor failure. A circuit board capacitor failure could lead to overheating, smoke, and, possibly, a fire during or following use. NHTSA assigned recall number 11E-045 to this matter. A copy of the respective notification is enclosed for your information.

ASE Supply Company, a Sure Power distributor, reported to NHTSA that it sold 6 of these defective battery separators to Terex South Dakota, Inc. (your company).

Pursuant to Federal law, a manufacturer of motor vehicles or motor vehicle equipment must notify NHTSA, within five (5) business days, when they first learn a safety defect or a noncompliance with a Federal Motor Vehicle Safety Standard exists in that equipment. In the case of a defect or noncompliance in original equipment installed in the vehicles of more than one manufacturer, notification to NHTSA must be made by the original equipment manufacturer as to the equipment item, and by each vehicle manufacturer as to those vehicles it manufactured in which the defective equipment was installed. The content of that notification is specified in 49 U.S.C. 573.6, Defect and Noncompliance Information Report.

In view of this safety risk, and your company's obligations under Federal law should you decide your vehicles contain a defect, we are also reminding your company that it is required to issue timely notification to owners who may have purchased vehicles with defective battery separators. In advance of issuing its owner notification letters, your company must submit a draft of its letter to NHTSA for review. Your company is reminded that this letter must meet the requirements of 49 CFR 577.5, "Notification pursuant to a manufacturer's decision." Your company is further reminded that notifications must be sent to those persons

registered under State law as the owners of the vehicles. If particular owners cannot be reasonably ascertained by State records, notifications must be sent to those persons you identify as the most recent purchasers. We are also reminding your company that it is required to notify dealers and distributors as required by 49 CFR 577.13.

In addition to the Part 573 Defect Report and the draft owner notification letter, please also provide a proposed schedule for conducting the owner notification that includes the following information:

a. the date on which the search of current state motor vehicle registration records will be initiated in order to update the original owner list;

b. the approximate date on which the revised owner list will be available to initiate owner notification;

c. the approximate date on which the owner notification will begin;

d. the approximate date on which the owner notification will be completed (if the owner notification is to be staggered, give the beginning and ending owner notification date for each segment); and

e. the approximate date on which the dealer notification will be completed.

If your company has not received any of this equipment, or if your products are not available to be sold, offered for sale, delivered, or imported into the United States, please so state. If your company does not agree with Sure Power that a defect exists in these battery separators, you must submit a written response explaining your decision including all supporting documents, analysis, and/or test reports.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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.

If your company 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, your company 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. Your company 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.

Your company's written response must be submitted to this office within 10 days of receiving this letter. In your response, please be certain to include a reference to this matter's identification number which is EQ12-001.

If you have any questions concerning this matter, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov. Response submissions may be made by US Mail, fax (202) 366-7882, or e-mail rmd.odi@dot.gov.

Sincerely,

Jennifer Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosure

11E-045
(4 pages)

Ellisville, MO 63021

RECEIVED
By Recall Management Division at 8:07 am, Oct 21, 2011

COOPER Bussmann

BY CERTIFIED MAIL AND ELECTRONIC MAIL (rmd.odi@dot.gov)

October 20, 2011

Mr. Claude H. Harris
Acting Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Harris:

The following information is submitted in accordance with the National Highway Traffic Safety Administration's defect reporting regulations, 49 CFR Part 573.6.

Sure Power, Inc. has decided to voluntarily recall certain battery separators that were manufactured and shipped by Sure Power to authorized distributors and vehicle manufacturers from February 2009 through June 2011.

Product Identification

The recalled product is a battery separator designed for use in multi-battery applications as a solenoid priority system to protect the chassis charging system from excessive loading while allowing auxiliary batteries to charge. Most of these units were sold to distributors, while some were sold to the vehicle manufacturers listed in Attachment A for installation as original equipment.

The following part numbers and serial number ranges may be affected:

Model	Serial # Start	Serial # Stop
1314 (-B, BP-D)	09004545	11002845
1315 (-B, NM)	09002323	11001573
1318	09000274	11000192
1319	09000058	11000013
*Serial numbers are sequential by model number family.		

These products were manufactured by Sure Power. The capacitors used in these parts were supplied by:

AVX Corporation
One AVX Boulevard
Fountain Inn, SC 29644-9039

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Recall Population
The recall population is approximately 14,990, which covers all of the units produced within the referenced production period and sold in the United States; however, this figure is over-inclusive and includes units that are not likely affected by the defect condition.

Description of Defect
Some of the subject units may experience an internal circuit board capacitor failure, which could lead to overheating, smoke and, possibly, a fire during or following use.

Chronology of Events
March 2011 - Report of thermal damage from an Australian aftermarket distributor. These failures were initially believed to be attributed to unique 4x4 applications and operating conditions in the Australian Outback.

June 15, 2011 – Report from a U.S. distributor indicating the battery separator had failed thermally in seven incidents. Analysis of two returned field units indicated that capacitors on the printed circuit board had cracked and shorted through thermo migration.

June 28, 2011 – Report of a vehicle fire from the commercial fleet referenced above. The initial report was that the fire was caused by the battery separator; however, a subsequent inspection revealed that the fire was not caused by the battery separator.

July 2011 – Based on the failures observed in the Australian market, a consumer recall campaign was initiated in that market. Sure Power subsequently notified the Consumer Product Safety Commission and initiated a campaign in the U.S. market.

September 13, 2011 - Report of a vehicle fire in Canada involving a vehicle equipped with a Sure Power battery separator.

September/October – Sure Power arranged for an inspection of the Canada vehicle.

October 7, 2011 - Inspection of the Canadian vehicle was inconclusive concerning the involvement of the battery separator, but the separator was noted as a *possible* cause.

October 13, 2011 – Sure Power decided, out of an abundance of caution, to conduct a safety recall in accordance with the Safety Act and 49 CFR Part 573 and 577.

To date, there have been no reported injuries resulting from this product issue.

Remedy Program
Sure Power will replace affected product with new product at no charge to the customer. Sure Power's direct customers in the aftermarket channel will receive written notification and copies of the Part 577 Owner Letter to disseminate to their customers. (As noted above, Sure Power's direct customers were previously notified of this issue, but Sure Power will initiate a new notification campaign in accordance with NHTSA's regulations.)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Part 577 Owner Letter and Dealer Bulletin

A draft Part 577 Owner Letter and a dealer bulletin will be submitted shortly. Sure Power is prepared to proceed with its customer notification program within five days after NHTSA's review and approval of the Owner Letter.

Please advise the undersigned of the campaign number assigned to this recall.

Sincerely,

James M. Henley
Director, Quality Assurance

cc: RosaMaria Villagomez, Esq. (Cooper US, Inc.)
Christopher H. Grigorian, Esq. (Foley & Lardner LLP)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Attachment A - OEM List

Vehicle Manufacturer	Units Shipped
Altec Industries	483
Executive Coach Builders	40
Terex Corp/Terex Telect Inc/Terex Utilities Inc.	11
Paccar/Kenworth	3
Lance Camper	2025
Utilimaster	8

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

1200 New Jersey Avenue SE
Washington, DC 20590

SEP 20 2012

Sent via USPS Certified Mail

President / General Counsel
The Fab Shop LLC
10315 16th St. E
Edgewood, WA 98372

NVS-215aa
EQ12-001
11E-045

Subject: Second Request for Information- Response Required

Dear Sir or Madam:

On August 16, 2012, we wrote to your company as part of an ongoing investigation being conducted by the National Highway Traffic Safety Administration (NHTSA) about a safety issue involving certain defective Sure Power, Inc. battery separators that were sold to your company for possible installation into motor vehicles. Your company's response to that letter was due to NHTSA within 10 days of receipt. At this time, we have not received your response.

This letter is being sent in order to remind your company that it must respond to the earlier letter and that your company may have additional obligations under Federal law as we explained in the earlier letter.

A written response to our earlier letter must be submitted to this office within 7 days of your receipt of this letter. Response submission may be made by US Mail to the address listed therein, fax to (202) 366-7882, or e-mail alexander.ansley@dot.gov.

If your company 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, Your company 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. Your company 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.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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 $17,350,000 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 75 Fed. Reg. 79978 (Dec. 21, 2010)). This includes failing to respond to ODI information requests.

I urge your company to comply with this information request in order to ensure that these important issues relating to motor vehicle safety are promptly addressed, and in order to avoid a potential enforcement action against the company in addition to substantial penalties for its failure to respond to an inquiry issued during an official investigation.

Should you have any questions regarding this inquiry, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov.

Sincerely,

Jennifer T. Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosures

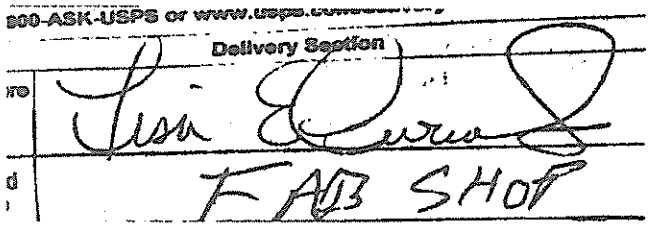
UNITED STATES POSTAL SERVICE

Date Produced: 08/27/2012

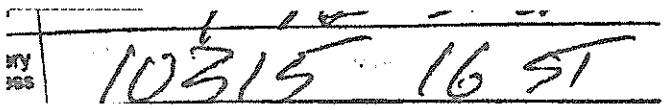
US DEPARTMENT OF TRANSPORTATION - NATION

The following is the delivery information for Certified Mail™ item number 7179 1000 1647 6547 0326. Our records indicate that this item was delivered on 08/20/2012 at 11:04 a.m. in PUYALLUP, WA, 98372. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United

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

1200 New Jersey Avenue SE
Washington, DC 20590

AUG 16 2012

Via USPS Certified Mail
Warranty / Compliance Department
The Fab Shop LLC
10315 16th St. E
Edgewood, WA 98372

NVS-215aa
EQ12-001
11E-045

Re: Safety Recall 11E-045

Dear Sir or Madam:

The Office of Defects Investigation (ODI), Recall Management Division (RMD) is conducting an equipment query (EQ) investigation in relation to certain Sure Power, Inc. battery separators that the manufacturer has decided contain a safety related defect that could cause a vehicle fire. This investigation has been assigned the identification EQ12-001.

In a letter dated October 20, 2011, Sure Power, Inc. (Sure Power) notified the NHTSA that it had decided certain Sure Power battery separators contain a safety related defect. Sure Power stated that certain battery separators, shipped to various distributors and vehicle manufacturers between February 2009 and June 2011, may experience an internal circuit board capacitor failure. A circuit board capacitor failure could lead to overheating, smoke, and, possibly, a fire during or following use. NHTSA assigned recall number 11E-045 to this matter. A copy of the respective notification is enclosed for your information.

Blanchard Auto Electric, a Sure Power distributor, reported to NHTSA that it sold 2 of these defective battery separators to The Fab Shop LLC (your company).

The purpose of this request is to obtain a list of purchasers that were sold these battery separators so they are made aware of this safety defect decision and are able to determine the need for any similar safety recall on products they may have manufactured using the same equipment. It is also to request your company provide the requisite defect report should it agree that it manufactured and sold defective motor vehicles or motor vehicle equipment to its purchasers. It is further to ascertain whether your company manufactured and sold or distributed any defective equipment in the replacement market for which it may have responsibility for filing a report with NHTSA and conducting a recall campaign. Accordingly, we require the following information:

1. Provide a list of all customers that received the same or similarly defective Sure Power battery separators from your company and provide their company name, line of business (i.e. vehicle manufacturer, equipment manufacturer, distributor, etc.), address, phone number, contact person, quantity sold to each, and sale date.

2. State whether your company manufactured and sold or distributed any motor vehicle equipment containing these Sure Power battery separators and, if so, provide a list of all purchasers that received this equipment from your company and provide their company name, line of business (i.e. vehicle manufacturer, equipment manufacturer, distributor, etc.), address, phone number, contact person, quantity sold to each, and sale date.

Pursuant to Federal law, a manufacturer of motor vehicles or motor vehicle equipment must notify NHTSA, within five (5) business days, when they first learn a safety defect or a noncompliance with a Federal Motor Vehicle Safety Standard exists in that equipment. In the case of a defect or noncompliance in original equipment installed in the vehicles of more than one manufacturer, notification to NHTSA must be made by the original equipment manufacturer as to the equipment item, and by each vehicle manufacturer as to those vehicles it manufactured in which the defective equipment was installed. The content of that notification is specified in 49 U.S.C. 573.6, Defect and Noncompliance Information Report.

If your company has not received any of this equipment, or if your products are not available to be sold, offered for sale, delivered, or imported into the United States, please so state. If your company does not agree with Sure Power that a defect exists in these battery separators, you must submit a written response explaining your decision including all supporting documents, analysis, and/or test reports.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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.

If your company 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, your company 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. Your company 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.

Your company's written response must be submitted to this office within 10 days of receiving this letter. In your response, please be certain to include a reference to this matter's identification number which is EQ12-001.

If you have any questions concerning this matter, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov. Response submissions may be made by US Mail, fax (202) 366-7882, or e-mail rmd.odi@dot.gov.

Sincerely,

Jennifer Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosure

11E-045
(4 pages)

Ellisville, MO 63021

RECEIVED
By Recall Management Division at 8:07 am, Oct 21, 2011

COOPER Bussmann

BY CERTIFIED MAIL AND ELECTRONIC MAIL (rmd.odi@dot.gov)

October 20, 2011

Mr. Claude H. Harris
Acting Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Harris:

The following information is submitted in accordance with the National Highway Traffic Safety Administration's defect reporting regulations, 49 CFR Part 573.6.

Sure Power, Inc. has decided to voluntarily recall certain battery separators that were manufactured and shipped by Sure Power to authorized distributors and vehicle manufacturers from February 2009 through June 2011.

Product Identification

The recalled product is a battery separator designed for use in multi-battery applications as a solenoid priority system to protect the chassis charging system from excessive loading while allowing auxiliary batteries to charge. Most of these units were sold to distributors, while some were sold to the vehicle manufacturers listed in Attachment A for installation as original equipment.

The following part numbers and serial number ranges may be affected:

Model	Serial # Start	Serial # Stop
1314 (-B, BP-D)	09004545	11002845
1315 (-B, NM)	09002323	11001573
1318	09000274	11000192
1319	09000058	11000013
*Serial numbers are sequential by model number family.		

These products were manufactured by Sure Power. The capacitors used in these parts were supplied by:

AVX Corporation
One AVX Boulevard
Fountain Inn, SC 29644-9039

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Recall Population
The recall population is approximately 14,990, which covers all of the units produced within the referenced production period and sold in the United States; however, this figure is over-inclusive and includes units that are not likely affected by the defect condition.

Description of Defect
Some of the subject units may experience an internal circuit board capacitor failure, which could lead to overheating, smoke and, possibly, a fire during or following use.

Chronology of Events
March 2011 - Report of thermal damage from an Australian aftermarket distributor. These failures were initially believed to be attributed to unique 4x4 applications and operating conditions in the Australian Outback.

June 15, 2011 – Report from a U.S. distributor indicating the battery separator had failed thermally in seven incidents. Analysis of two returned field units indicated that capacitors on the printed circuit board had cracked and shorted through thermo migration.

June 28, 2011 – Report of a vehicle fire from the commercial fleet referenced above. The initial report was that the fire was caused by the battery separator; however, a subsequent inspection revealed that the fire was not caused by the battery separator.

July 2011 – Based on the failures observed in the Australian market, a consumer recall campaign was initiated in that market. Sure Power subsequently notified the Consumer Product Safety Commission and initiated a campaign in the U.S. market.

September 13, 2011 - Report of a vehicle fire in Canada involving a vehicle equipped with a Sure Power battery separator.

September/October – Sure Power arranged for an inspection of the Canada vehicle.

October 7, 2011 - Inspection of the Canadian vehicle was inconclusive concerning the involvement of the battery separator, but the separator was noted as a *possible* cause.

October 13, 2011 – Sure Power decided, out of an abundance of caution, to conduct a safety recall in accordance with the Safety Act and 49 CFR Part 573 and 577.

To date, there have been no reported injuries resulting from this product issue.

Remedy Program
Sure Power will replace affected product with new product at no charge to the customer. Sure Power's direct customers in the aftermarket channel will receive written notification and copies of the Part 577 Owner Letter to disseminate to their customers. (As noted above, Sure Power's direct customers were previously notified of this issue, but Sure Power will initiate a new notification campaign in accordance with NHTSA's regulations.)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Part 577 Owner Letter and Dealer Bulletin

A draft Part 577 Owner Letter and a dealer bulletin will be submitted shortly. Sure Power is prepared to proceed with its customer notification program within five days after NHTSA's review and approval of the Owner Letter.

Please advise the undersigned of the campaign number assigned to this recall.

Sincerely,

James M. Henley
Director, Quality Assurance

cc: RosaMaria Villagomez, Esq. (Cooper US, Inc.)
Christopher H. Grigorian, Esq. (Foley & Lardner LLP)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Attachment A - OEM List

Vehicle Manufacturer	Units Shipped
Altec Industries	483
Executive Coach Builders	40
Terex Corp/Terex Telect Inc/Terex Utilities Inc.	11
Paccar/Kenworth	3
Lance Camper	2025
Utilimaster	8

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

1200 New Jersey Avenue SE
Washington, DC 20590

SEP 20 2012

Sent via USPS Certified Mail

President / General Counsel
Phenix Enterprises
1785 Mt. Vernon Ave.
Pomona, CA 91768

NVS-215aa
EQ12-001
11E-045

Subject: Second Request for Information- Response Required

Dear Sir or Madam:

On August 16, 2012, we wrote to your company as part of an ongoing investigation being conducted by the National Highway Traffic Safety Administration (NHTSA) about a safety issue involving certain defective Sure Power, Inc. battery separators that were sold to your company for possible installation into motor vehicles. Your company's response to that letter was due to NHTSA within 10 days of receipt. At this time, we have not received your response.

This letter is being sent in order to remind your company that it must respond to the earlier letter and that your company may have additional obligations under Federal law as we explained in the earlier letter.

A written response to our earlier letter must be submitted to this office within 7 days of your receipt of this letter. Response submission may be made by US Mail to the address listed therein, fax to (202) 366-7882, or e-mail alexander.ansley@dot.gov.

If your company 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, Your company 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. Your company 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.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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 $17,350,000 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 75 Fed. Reg. 79978 (Dec. 21, 2010)). This includes failing to respond to ODI information requests.

I urge your company to comply with this information request in order to ensure that these important issues relating to motor vehicle safety are promptly addressed, and in order to avoid a potential enforcement action against the company in addition to substantial penalties for its failure to respond to an inquiry issued during an official investigation.

Should you have any questions regarding this inquiry, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov.

Sincerely,

Jennifer T. Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosures

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

1200 New Jersey Avenue SE
Washington, DC 20590

AUG 16 2012

Via USPS Certified Mail
Warranty / Compliance Department
Phenix Enterprises
1785 Mt. Vernon Ave.
Pomona, CA 91768

NVS-215aa
EQ12-001
11E-045

Re: Safety Recall 11E-045

Dear Sir or Madam:

The Office of Defects Investigation (ODI), Recall Management Division (RMD) is conducting an equipment query (EQ) investigation in relation to certain Sure Power, Inc. (Sure Power) battery separators that the manufacturer has decided contain a safety related defect that could cause a vehicle fire. This investigation has been assigned the identification EQ12-001.

In a letter dated October 20, 2011, Sure Power notified the NHTSA that it had decided certain Sure Power battery separators contain a safety related defect. Sure Power stated that certain battery separators, shipped to various distributors and vehicle manufacturers between February 2009 and June 2011, may experience an internal circuit board capacitor failure. A circuit board capacitor failure could lead to overheating, smoke, and, possibly, a fire during or following use. NHTSA assigned recall number 11E-045 to this matter. A copy of the respective notification is enclosed for your information.

Lu's Lighthouse, Inc., a Sure Power distributor, reported to NHTSA that it sold 10 of these defective battery separators to Phenix Enterprises (your company).

Pursuant to Federal law, a manufacturer of motor vehicles or motor vehicle equipment must notify NHTSA, within five (5) business days, when they first learn a safety defect or a noncompliance with a Federal Motor Vehicle Safety Standard exists in that equipment. In the case of a defect or noncompliance in original equipment installed in the vehicles of more than one manufacturer, notification to NHTSA must be made by the original equipment manufacturer as to the equipment item, and by each vehicle manufacturer as to those vehicles it manufactured in which the defective equipment was installed. The content of that notification is specified in 49 U.S.C. 573.6, Defect and Noncompliance Information Report.

In view of this safety risk, and your company's obligations under Federal law should you decide your vehicles contain a defect, we are also reminding your company that it is required to issue timely notification to owners who may have purchased vehicles with defective battery separators. In advance of issuing its owner notification letters, your company must submit a draft of its letter to NHTSA for review. Your company is reminded that this letter must meet the requirements of 49 CFR 577.5, "Notification pursuant to a manufacturer's decision." Your company is further reminded that notifications must be sent to those persons

registered under State law as the owners of the vehicles. If particular owners cannot be reasonably ascertained by State records, notifications must be sent to those persons you identify as the most recent purchasers. We are also reminding your company that it is required to notify dealers and distributors as required by 49 CFR 577.13.

In addition to the Part 573 Defect Report and the draft owner notification letter, please also provide a proposed schedule for conducting the owner notification that includes the following information:

a. the date on which the search of current state motor vehicle registration records will be initiated in order to update the original owner list;

b. the approximate date on which the revised owner list will be available to initiate owner notification;

c. the approximate date on which the owner notification will begin;

d. the approximate date on which the owner notification will be completed (if the owner notification is to be staggered, give the beginning and ending owner notification date for each segment); and

e. the approximate date on which the dealer notification will be completed.

If your company has not received any of this equipment, or if your products are not available to be sold, offered for sale, delivered, or imported into the United States, please so state. If your company does not agree with Sure Power that a defect exists in these battery separators, you must submit a written response explaining your decision including all supporting documents, analysis, and/or test reports.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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.

If your company 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, your company 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. Your company 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.

Your company's written response must be submitted to this office within 10 days of receiving this letter. In your response, please be certain to include a reference to this matter's identification number which is EQ12-001.

If you have any questions concerning this matter, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov. Response submissions may be made by US Mail, fax (202) 366-7882, or e-mail rmd.odi@dot.gov.

Sincerely,

Jennifer Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosure

11E-045
(4 pages)

Ellisville, MO 63021

RECEIVED
By Recall Management Division at 8:07 am, Oct 21, 2011

COOPER Bussmann

BY CERTIFIED MAIL AND ELECTRONIC MAIL (rmd.odi@dot.gov)

October 20, 2011

Mr. Claude H. Harris
Acting Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Harris:

The following information is submitted in accordance with the National Highway Traffic Safety Administration's defect reporting regulations, 49 CFR Part 573.6.

Sure Power, Inc. has decided to voluntarily recall certain battery separators that were manufactured and shipped by Sure Power to authorized distributors and vehicle manufacturers from February 2009 through June 2011.

Product Identification

The recalled product is a battery separator designed for use in multi-battery applications as a solenoid priority system to protect the chassis charging system from excessive loading while allowing auxiliary batteries to charge. Most of these units were sold to distributors, while some were sold to the vehicle manufacturers listed in Attachment A for installation as original equipment.

The following part numbers and serial number ranges may be affected:

Model	Serial # Start	Serial # Stop
1314 (-B, BP-D)	09004545	11002845
1315 (-B, NM)	09002323	11001573
1318	09000274	11000192
1319	09000058	11000013
*Serial numbers are sequential by model number family.		

These products were manufactured by Sure Power. The capacitors used in these parts were supplied by:

AVX Corporation
One AVX Boulevard
Fountain Inn, SC 29644-9039

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Recall Population
The recall population is approximately 14,990, which covers all of the units produced within the referenced production period and sold in the United States; however, this figure is over-inclusive and includes units that are not likely affected by the defect condition.

Description of Defect
Some of the subject units may experience an internal circuit board capacitor failure, which could lead to overheating, smoke and, possibly, a fire during or following use.

Chronology of Events
March 2011 - Report of thermal damage from an Australian aftermarket distributor. These failures were initially believed to be attributed to unique 4x4 applications and operating conditions in the Australian Outback.

June 15, 2011 – Report from a U.S. distributor indicating the battery separator had failed thermally in seven incidents. Analysis of two returned field units indicated that capacitors on the printed circuit board had cracked and shorted through thermo migration.

June 28, 2011 – Report of a vehicle fire from the commercial fleet referenced above. The initial report was that the fire was caused by the battery separator; however, a subsequent inspection revealed that the fire was not caused by the battery separator.

July 2011 – Based on the failures observed in the Australian market, a consumer recall campaign was initiated in that market. Sure Power subsequently notified the Consumer Product Safety Commission and initiated a campaign in the U.S. market.

September 13, 2011 - Report of a vehicle fire in Canada involving a vehicle equipped with a Sure Power battery separator.

September/October – Sure Power arranged for an inspection of the Canada vehicle.

October 7, 2011 - Inspection of the Canadian vehicle was inconclusive concerning the involvement of the battery separator, but the separator was noted as a *possible* cause.

October 13, 2011 – Sure Power decided, out of an abundance of caution, to conduct a safety recall in accordance with the Safety Act and 49 CFR Part 573 and 577.

To date, there have been no reported injuries resulting from this product issue.

Remedy Program
Sure Power will replace affected product with new product at no charge to the customer. Sure Power's direct customers in the aftermarket channel will receive written notification and copies of the Part 577 Owner Letter to disseminate to their customers. (As noted above, Sure Power's direct customers were previously notified of this issue, but Sure Power will initiate a new notification campaign in accordance with NHTSA's regulations.)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Part 577 Owner Letter and Dealer Bulletin

A draft Part 577 Owner Letter and a dealer bulletin will be submitted shortly. Sure Power is prepared to proceed with its customer notification program within five days after NHTSA's review and approval of the Owner Letter.

Please advise the undersigned of the campaign number assigned to this recall.

Sincerely,

James M. Henley
Director, Quality Assurance

cc: RosaMaria Villagomez, Esq. (Cooper US, Inc.)
Christopher H. Grigorian, Esq. (Foley & Lardner LLP)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Attachment A - OEM List

Vehicle Manufacturer	Units Shipped
Altec Industries	483
Executive Coach Builders	40
Terex Corp/Terex Telect Inc/Terex Utilities Inc.	11
Paccar/Kenworth	3
Lance Camper	2025
Utilimaster	8

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

1200 New Jersey Avenue SE
Washington, DC 20590

SEP 20 2012

Sent via USPS Certified Mail

President / General Counsel
Square One Armoring Services
12370 SW 130th St
Miami, FL 33186

NVS-215aa
EQ12-001
11E-045

Subject: Second Request for Information- Response Required

Dear Sir or Madam:

On August 16, 2012, we wrote to your company as part of an ongoing investigation being conducted by the National Highway Traffic Safety Administration (NHTSA) about a safety issue involving certain defective Sure Power, Inc. battery separators that were sold to your company for possible installation into motor vehicles. Your company's response to that letter was due to NHTSA within 10 days of receipt. At this time, we have not received your response.

This letter is being sent in order to remind your company that it must respond to the earlier letter and that your company may have additional obligations under Federal law as we explained in the earlier letter.

A written response to our earlier letter must be submitted to this office within 7 days of your receipt of this letter. Response submission may be made by US Mail to the address listed therein, fax to (202) 366-7882, or e-mail alexander.ansley@dot.gov.

If your company 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, Your company 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. Your company 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.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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 $17,350,000 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 75 Fed. Reg. 79978 (Dec. 21, 2010)). This includes failing to respond to ODI information requests.

I urge your company to comply with this information request in order to ensure that these important issues relating to motor vehicle safety are promptly addressed, and in order to avoid a potential enforcement action against the company in addition to substantial penalties for its failure to respond to an inquiry issued during an official investigation.

Should you have any questions regarding this inquiry, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov.

Sincerely,

Jennifer T. Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosures

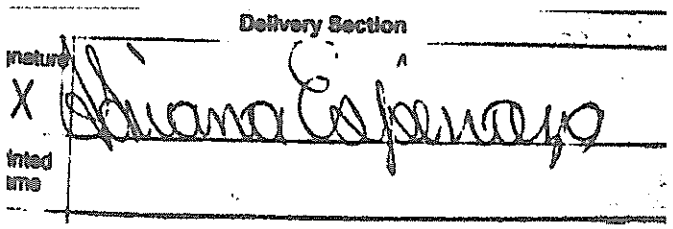
UNITED STATES POSTAL SERVICE

Date Produced: 08/27/2012

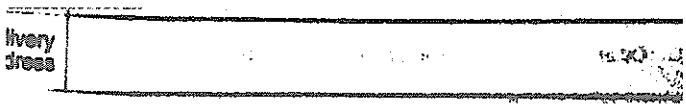
US DEPARTMENT OF TRANSPORTATION - NATION

The following is the delivery information for Certified Mail™ item number 7179 1000 1647 6547 0463. Our records indicate that this item was delivered on 08/20/2012 at 12:52 p.m. in MIAMI, FL, 33186. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United

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

1200 New Jersey Avenue SE
Washington, DC 20590

AUG 16 2012

Via USPS Certified Mail
Warranty / Compliance Department
Square One Armoring Services
12370 SW 130th St
Miami, FL 33186

NVS-215aa
EQ12-001
11E-045

Re: Safety Recall 11E-045

Dear Sir or Madam:

The Office of Defects Investigation (ODI), Recall Management Division (RMD) is conducting an equipment query (EQ) investigation in relation to certain Sure Power, Inc. (Sure Power) battery separators that the manufacturer has decided contain a safety related defect that could cause a vehicle fire. This investigation has been assigned the identification EQ12-001.

In a letter dated October 20, 2011, Sure Power notified the NHTSA that it had decided certain Sure Power battery separators contain a safety related defect. Sure Power stated that certain battery separators, shipped to various distributors and vehicle manufacturers between February 2009 and June 2011, may experience an internal circuit board capacitor failure. A circuit board capacitor failure could lead to overheating, smoke, and, possibly, a fire during or following use. NHTSA assigned recall number 11E-045 to this matter. A copy of the respective notification is enclosed for your information.

Waytek, Inc., a Sure Power distributor, reported to NHTSA that it sold 12 of these defective battery separators to Square One Armoring Services (your company).

Pursuant to Federal law, a manufacturer of motor vehicles or motor vehicle equipment must notify NHTSA, within five (5) business days, when they first learn a safety defect or a noncompliance with a Federal Motor Vehicle Safety Standard exists in that equipment. In the case of a defect or noncompliance in original equipment installed in the vehicles of more than one manufacturer, notification to NHTSA must be made by the original equipment manufacturer as to the equipment item, and by each vehicle manufacturer as to those vehicles it manufactured in which the defective equipment was installed. The content of that notification is specified in 49 U.S.C. 573.6, Defect and Noncompliance Information Report.

In view of this safety risk, and your company's obligations under Federal law should you decide your vehicles contain a defect, we are also reminding your company that it is required to issue timely notification to owners who may have purchased vehicles with defective battery separators. In advance of issuing its owner notification letters, your company must submit a draft of its letter to NHTSA for review. Your company is reminded that this letter must meet the requirements of 49 CFR 577.5, "Notification pursuant to a manufacturer's decision." Your company is further reminded that notifications must be sent to those persons

registered under State law as the owners of the vehicles. If particular owners cannot be reasonably ascertained by State records, notifications must be sent to those persons you identify as the most recent purchasers. We are also reminding your company that it is required to notify dealers and distributors as required by 49 CFR 577.13.

In addition to the Part 573 Defect Report and the draft owner notification letter, please also provide a proposed schedule for conducting the owner notification that includes the following information:

a. the date on which the search of current state motor vehicle registration records will be initiated in order to update the original owner list;

b. the approximate date on which the revised owner list will be available to initiate owner notification;

c. the approximate date on which the owner notification will begin;

d. the approximate date on which the owner notification will be completed (if the owner notification is to be staggered, give the beginning and ending owner notification date for each segment); and

e. the approximate date on which the dealer notification will be completed.

If your company has not received any of this equipment, or if your products are not available to be sold, offered for sale, delivered, or imported into the United States, please so state. If your company does not agree with Sure Power that a defect exists in these battery separators, you must submit a written response explaining your decision including all supporting documents, analysis, and/or test reports.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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.

If your company 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, your company 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. Your company 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.

Your company's written response must be submitted to this office within 10 days of receiving this letter. In your response, please be certain to include a reference to this matter's identification number which is EQ12-001.

If you have any questions concerning this matter, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov. Response submissions may be made by US Mail, fax (202) 366-7882, or e-mail rmd.odi@dot.gov.

Sincerely,

Jennifer Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosure

11E-045
(4 pages)

Ellisville, MO 63021

RECEIVED
By Recall Management Division at 8:07 am, Oct 21, 2011

COOPER Bussmann

BY CERTIFIED MAIL AND ELECTRONIC MAIL (rmd.odi@dot.gov)

October 20, 2011

Mr. Claude H. Harris
Acting Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Harris:

The following information is submitted in accordance with the National Highway Traffic Safety Administration's defect reporting regulations, 49 CFR Part 573.6.

Sure Power, Inc. has decided to voluntarily recall certain battery separators that were manufactured and shipped by Sure Power to authorized distributors and vehicle manufacturers from February 2009 through June 2011.

Product Identification

The recalled product is a battery separator designed for use in multi-battery applications as a solenoid priority system to protect the chassis charging system from excessive loading while allowing auxiliary batteries to charge. Most of these units were sold to distributors, while some were sold to the vehicle manufacturers listed in Attachment A for installation as original equipment.

The following part numbers and serial number ranges may be affected:

Model	Serial # Start	Serial # Stop
1314 (-B, BP-D)	09004545	11002845
1315 (-B, NM)	09002323	11001573
1318	09000274	11000192
1319	09000058	11000013
*Serial numbers are sequential by model number family.		

These products were manufactured by Sure Power. The capacitors used in these parts were supplied by:

AVX Corporation
One AVX Boulevard
Fountain Inn, SC 29644-9039

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Recall Population
The recall population is approximately 14,990, which covers all of the units produced within the referenced production period and sold in the United States; however, this figure is over-inclusive and includes units that are not likely affected by the defect condition.

Description of Defect
Some of the subject units may experience an internal circuit board capacitor failure, which could lead to overheating, smoke and, possibly, a fire during or following use.

Chronology of Events
March 2011 - Report of thermal damage from an Australian aftermarket distributor. These failures were initially believed to be attributed to unique 4x4 applications and operating conditions in the Australian Outback.

June 15, 2011 – Report from a U.S. distributor indicating the battery separator had failed thermally in seven incidents. Analysis of two returned field units indicated that capacitors on the printed circuit board had cracked and shorted through thermo migration.

June 28, 2011 – Report of a vehicle fire from the commercial fleet referenced above. The initial report was that the fire was caused by the battery separator; however, a subsequent inspection revealed that the fire was not caused by the battery separator.

July 2011 – Based on the failures observed in the Australian market, a consumer recall campaign was initiated in that market. Sure Power subsequently notified the Consumer Product Safety Commission and initiated a campaign in the U.S. market.

September 13, 2011 - Report of a vehicle fire in Canada involving a vehicle equipped with a Sure Power battery separator.

September/October – Sure Power arranged for an inspection of the Canada vehicle.

October 7, 2011 - Inspection of the Canadian vehicle was inconclusive concerning the involvement of the battery separator, but the separator was noted as a *possible* cause.

October 13, 2011 – Sure Power decided, out of an abundance of caution, to conduct a safety recall in accordance with the Safety Act and 49 CFR Part 573 and 577.

To date, there have been no reported injuries resulting from this product issue.

Remedy Program
Sure Power will replace affected product with new product at no charge to the customer. Sure Power's direct customers in the aftermarket channel will receive written notification and copies of the Part 577 Owner Letter to disseminate to their customers. (As noted above, Sure Power's direct customers were previously notified of this issue, but Sure Power will initiate a new notification campaign in accordance with NHTSA's regulations.)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Part 577 Owner Letter and Dealer Bulletin

A draft Part 577 Owner Letter and a dealer bulletin will be submitted shortly. Sure Power is prepared to proceed with its customer notification program within five days after NHTSA's review and approval of the Owner Letter.

Please advise the undersigned of the campaign number assigned to this recall.

Sincerely,

James M. Henley
Director, Quality Assurance

cc: RosaMaria Villagomez, Esq. (Cooper US, Inc.)
Christopher H. Grigorian, Esq. (Foley & Lardner LLP)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Attachment A - OEM List

Vehicle Manufacturer	Units Shipped
Altec Industries	483
Executive Coach Builders	40
Terex Corp/Terex Telect Inc/Terex Utilities Inc.	11
Paccar/Kenworth	3
Lance Camper	2025
Utilimaster	8

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

1200 New Jersey Avenue SE
Washington, DC 20590

SEP 2 0 2012

Sent via USPS Certified Mail

President / General Counsel
Adscom Corporation
7364 Baltimore Annpolis Blvd
Glen Burnie, MD 21061

NVS-215aa
EQ12-001
11E-045

Subject: Second Request for Information- Response Required

Dear Sir or Madam:

On August 16, 2012, we wrote to your company as part of an ongoing investigation being conducted by the National Highway Traffic Safety Administration (NHTSA) about a safety issue involving certain defective Sure Power, Inc. battery separators that were sold to your company for possible installation into motor vehicles. Your company's response to that letter was due to NHTSA within 10 days of receipt. At this time, we have not received your response.

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If your company 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, Your company 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. Your company 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.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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 $17,350,000 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 75 Fed. Reg. 79978 (Dec. 21, 2010)). This includes failing to respond to ODI information requests.

I urge your company to comply with this information request in order to ensure that these important issues relating to motor vehicle safety are promptly addressed, and in order to avoid a potential enforcement action against the company in addition to substantial penalties for its failure to respond to an inquiry issued during an official investigation.

Should you have any questions regarding this inquiry, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov.

Sincerely,

Jennifer T. Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosures

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

1200 New Jersey Avenue SE
Washington, DC 20590

AUG 16 2012

Via USPS Certified Mail
Warranty / Compliance Department
Adscom Corporation
7364 Baltimore Annpolis Blvd
Glen Burnie, MD 21061

NVS-215aa
EQ12-001
11E-045

Re: Safety Recall 11E-045

Dear Sir or Madam:

The Office of Defects Investigation (ODI), Recall Management Division (RMD) is conducting an equipment query (EQ) investigation in relation to certain Sure Power, Inc. (Sure Power) battery separators that the manufacturer has decided contain a safety related defect that could cause a vehicle fire. This investigation has been assigned the identification EQ12-001.

In a letter dated October 20, 2011, Sure Power notified the NHTSA that it had decided certain Sure Power battery separators contain a safety related defect. Sure Power stated that certain battery separators, shipped to various distributors and vehicle manufacturers between February 2009 and June 2011, may experience an internal circuit board capacitor failure. A circuit board capacitor failure could lead to overheating, smoke, and, possibly, a fire during or following use. NHTSA assigned recall number 11E-045 to this matter. A copy of the respective notification is enclosed for your information.

Waytek, Inc., a Sure Power distributor, reported to NHTSA that it sold 1 of these defective battery separators to Adscom Corporation (your company).

Pursuant to Federal law, a manufacturer of motor vehicles or motor vehicle equipment must notify NHTSA, within five (5) business days, when they first learn a safety defect or a noncompliance with a Federal Motor Vehicle Safety Standard exists in that equipment. In the case of a defect or noncompliance in original equipment installed in the vehicles of more than one manufacturer, notification to NHTSA must be made by the original equipment manufacturer as to the equipment item, and by each vehicle manufacturer as to those vehicles it manufactured in which the defective equipment was installed. The content of that notification is specified in 49 U.S.C. 573.6, Defect and Noncompliance Information Report.

In view of this safety risk, and your company's obligations under Federal law should you decide your vehicles contain a defect, we are also reminding your company that it is required to issue timely notification to owners who may have purchased vehicles with defective battery separators. In advance of issuing its owner notification letters, your company must submit a draft of its letter to NHTSA for review. Your company is reminded that this letter must meet the requirements of 49 CFR 577.5, "Notification pursuant to a manufacturer's decision." Your company is further reminded that notifications must be sent to those persons

registered under State law as the owners of the vehicles. If particular owners cannot be reasonably ascertained by State records, notifications must be sent to those persons you identify as the most recent purchasers. We are also reminding your company that it is required to notify dealers and distributors as required by 49 CFR 577.13.

In addition to the Part 573 Defect Report and the draft owner notification letter, please also provide a proposed schedule for conducting the owner notification that includes the following information:

a. the date on which the search of current state motor vehicle registration records will be initiated in order to update the original owner list;

b. the approximate date on which the revised owner list will be available to initiate owner notification;

c. the approximate date on which the owner notification will begin;

d. the approximate date on which the owner notification will be completed (if the owner notification is to be staggered, give the beginning and ending owner notification date for each segment); and

e. the approximate date on which the dealer notification will be completed.

If your company has not received any of this equipment, or if your products are not available to be sold, offered for sale, delivered, or imported into the United States, please so state. If your company does not agree with Sure Power that a defect exists in these battery separators, you must submit a written response explaining your decision including all supporting documents, analysis, and/or test reports.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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.

If your company 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, your company 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. Your company 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.

Your company's written response must be submitted to this office within 10 days of receiving this letter. In your response, please be certain to include a reference to this matter's identification number which is EQ12-001.

If you have any questions concerning this matter, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov. Response submissions may be made by US Mail, fax (202) 366-7882, or e-mail rmd.odi@dot.gov.

Sincerely,

Jennifer Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosure

11E-045
(4 pages)

Ellisville, MO 63021

RECEIVED
By Recall Management Division at 8:07 am, Oct 21, 2011

COOPER Bussmann

BY CERTIFIED MAIL AND ELECTRONIC MAIL (rmd.odi@dot.gov)

October 20, 2011

Mr. Claude H. Harris
Acting Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Harris:

The following information is submitted in accordance with the National Highway Traffic Safety Administration's defect reporting regulations, 49 CFR Part 573.6.

Sure Power, Inc. has decided to voluntarily recall certain battery separators that were manufactured and shipped by Sure Power to authorized distributors and vehicle manufacturers from February 2009 through June 2011.

Product Identification

The recalled product is a battery separator designed for use in multi-battery applications as a solenoid priority system to protect the chassis charging system from excessive loading while allowing auxiliary batteries to charge. Most of these units were sold to distributors, while some were sold to the vehicle manufacturers listed in Attachment A for installation as original equipment.

The following part numbers and serial number ranges may be affected:

Model	Serial # Start	Serial # Stop
1314 (-B, BP-D)	09004545	11002845
1315 (-B, NM)	09002323	11001573
1318	09000274	11000192
1319	09000058	11000013
*Serial numbers are sequential by model number family.		

These products were manufactured by Sure Power. The capacitors used in these parts were supplied by:

AVX Corporation
One AVX Boulevard
Fountain Inn, SC 29644-9039

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Recall Population
The recall population is approximately 14,990, which covers all of the units produced within the referenced production period and sold in the United States; however, this figure is over-inclusive and includes units that are not likely affected by the defect condition.

Description of Defect
Some of the subject units may experience an internal circuit board capacitor failure, which could lead to overheating, smoke and, possibly, a fire during or following use.

Chronology of Events
March 2011 - Report of thermal damage from an Australian aftermarket distributor. These failures were initially believed to be attributed to unique 4x4 applications and operating conditions in the Australian Outback.

June 15, 2011 – Report from a U.S. distributor indicating the battery separator had failed thermally in seven incidents. Analysis of two returned field units indicated that capacitors on the printed circuit board had cracked and shorted through thermo migration.

June 28, 2011 – Report of a vehicle fire from the commercial fleet referenced above. The initial report was that the fire was caused by the battery separator; however, a subsequent inspection revealed that the fire was not caused by the battery separator.

July 2011 – Based on the failures observed in the Australian market, a consumer recall campaign was initiated in that market. Sure Power subsequently notified the Consumer Product Safety Commission and initiated a campaign in the U.S. market.

September 13, 2011 - Report of a vehicle fire in Canada involving a vehicle equipped with a Sure Power battery separator.

September/October – Sure Power arranged for an inspection of the Canada vehicle.

October 7, 2011 - Inspection of the Canadian vehicle was inconclusive concerning the involvement of the battery separator, but the separator was noted as a *possible* cause.

October 13, 2011 – Sure Power decided, out of an abundance of caution, to conduct a safety recall in accordance with the Safety Act and 49 CFR Part 573 and 577.

To date, there have been no reported injuries resulting from this product issue.

Remedy Program
Sure Power will replace affected product with new product at no charge to the customer. Sure Power's direct customers in the aftermarket channel will receive written notification and copies of the Part 577 Owner Letter to disseminate to their customers. (As noted above, Sure Power's direct customers were previously notified of this issue, but Sure Power will initiate a new notification campaign in accordance with NHTSA's regulations.)

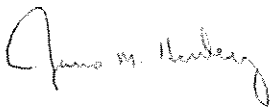
Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Part 577 Owner Letter and Dealer Bulletin

A draft Part 577 Owner Letter and a dealer bulletin will be submitted shortly. Sure Power is prepared to proceed with its customer notification program within five days after NHTSA's review and approval of the Owner Letter.

Please advise the undersigned of the campaign number assigned to this recall.

Sincerely,



James M. Henley
Director, Quality Assurance

cc: RosaMaria Villagomez, Esq. (Cooper US, Inc.)
Christopher H. Grigorian, Esq. (Foley & Lardner LLP)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Attachment A - OEM List

Vehicle Manufacturer	Units Shipped
Altec Industries	483
Executive Coach Builders	40
Terex Corp/Terex Telect Inc/Terex Utilities Inc.	11
Paccar/Kenworth	3
Lance Camper	2025
Utilimaster	8

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

1200 New Jersey Avenue SE
Washington, DC 20590

SEP 20 2012

Sent via USPS Certified Mail

President / General Counsel
Whatcom Electric
2121 Toledo
Bellingham, WA 98229

NVS-215aa
EQ12-001
11E-045

Subject: Second Request for Information- Response Required

Dear Sir or Madam:

On August 16, 2012, we wrote to your company as part of an ongoing investigation being conducted by the National Highway Traffic Safety Administration (NHTSA) about a safety issue involving certain defective Sure Power, Inc. battery separators that were sold to your company for possible installation into motor vehicles. Your company's response to that letter was due to NHTSA within 10 days of receipt. At this time, we have not received your response.

This letter is being sent in order to remind your company that it must respond to the earlier letter and that your company may have additional obligations under Federal law as we explained in the earlier letter.

A written response to our earlier letter must be submitted to this office within 7 days of your receipt of this letter. Response submission may be made by US Mail to the address listed therein, fax to (202) 366-7882, or e-mail alexander.ansley@dot.gov.

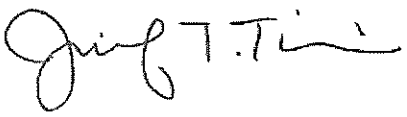
If your company claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Your company must submit supporting information 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. Your company 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.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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 $17,350,000 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 75 Fed. Reg. 79978 (Dec. 21, 2010)). This includes failing to respond to ODI information requests.

I urge your company to comply with this information request in order to ensure that these important issues relating to motor vehicle safety are promptly addressed, and in order to avoid a potential enforcement action against the company in addition to substantial penalties for its failure to respond to an inquiry issued during an official investigation.

Should you have any questions regarding this inquiry, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov.

Sincerely,



Jennifer T. Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosures

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

1200 New Jersey Avenue SE
Washington, DC 20590

AUG 16 2012

Via USPS Certified Mail
Warranty / Compliance Department
Whatcom Electric
2121 Toledo
Bellingham, WA 98229

NVS-215aa
EQ12-001
11E-045

Re: Safety Recall 11E-045

Dear Sir or Madam:

The Office of Defects Investigation (ODI), Recall Management Division (RMD) is conducting an equipment query (EQ) investigation in relation to certain Sure Power, Inc. battery separators that the manufacturer has decided contain a safety related defect that could cause a vehicle fire. This investigation has been assigned the identification EQ12-001.

In a letter dated October 20, 2011, Sure Power, Inc. (Sure Power) notified the NHTSA that it had decided certain Sure Power battery separators contain a safety related defect. Sure Power stated that certain battery separators, shipped to various distributors and vehicle manufacturers between February 2009 and June 2011, may experience an internal circuit board capacitor failure. A circuit board capacitor failure could lead to overheating, smoke, and, possibly, a fire during or following use. NHTSA assigned recall number 11E-045 to this matter. A copy of the respective notification is enclosed for your information.

Smith Auto Electric, a Sure Power distributor, reported to NHTSA that it sold 11 of these defective battery separators to Whatcom Electric (your company).

The purpose of this request is to obtain a list of purchasers that were sold these battery separators so they are made aware of this safety defect decision and are able to determine the need for any similar safety recall on products they may have manufactured using the same equipment. It is also to request your company provide the requisite defect report should it agree that it manufactured and sold defective motor vehicles or motor vehicle equipment to its purchasers. It is further to ascertain whether your company manufactured and sold or distributed any defective equipment in the replacement market for which it may have responsibility for filing a report with NHTSA and conducting a recall campaign. Accordingly, we require the following information:

1. Provide a list of all customers that received the same or similarly defective Sure Power battery separators from your company and provide their company name, line of business (i.e. vehicle manufacturer, equipment manufacturer, distributor, etc.), address, phone number, contact person, quantity sold to each, and sale date.

2. State whether your company manufactured and sold or distributed any motor vehicle equipment containing these Sure Power battery separators and, if so, provide a list of all purchasers that received this equipment from your company and provide their company name, line of business (i.e. vehicle manufacturer, equipment manufacturer, distributor, etc.), address, phone number, contact person, quantity sold to each, and sale date.

Pursuant to Federal law, a manufacturer of motor vehicles or motor vehicle equipment must notify NHTSA, within five (5) business days, when they first learn a safety defect or a noncompliance with a Federal Motor Vehicle Safety Standard exists in that equipment. In the case of a defect or noncompliance in original equipment installed in the vehicles of more than one manufacturer, notification to NHTSA must be made by the original equipment manufacturer as to the equipment item, and by each vehicle manufacturer as to those vehicles it manufactured in which the defective equipment was installed. The content of that notification is specified in 49 U.S.C. 573.6, Defect and Noncompliance Information Report.

If your company has not received any of this equipment, or if your products are not available to be sold, offered for sale, delivered, or imported into the United States, please so state. If your company does not agree with Sure Power that a defect exists in these battery separators, you must submit a written response explaining your decision including all supporting documents, analysis, and/or test reports.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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.

If your company 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, your company 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. Your company 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.

Your company's written response must be submitted to this office within 10 days of receiving this letter. In your response, please be certain to include a reference to this matter's identification number which is EQ12-001.

If you have any questions concerning this matter, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov. Response submissions may be made by US Mail, fax (202) 366-7882, or e-mail rmd.odi@dot.gov.

Sincerely,

Jennifer Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosure

11E-045
(4 pages)

Ellisville, MO 63021

RECEIVED
By Recall Management Division at 8:07 am, Oct 21, 2011

COOPER Bussmann

BY CERTIFIED MAIL AND ELECTRONIC MAIL (rmd.odi@dot.gov)

October 20, 2011

Mr. Claude H. Harris
Acting Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Harris:

The following information is submitted in accordance with the National Highway Traffic Safety Administration's defect reporting regulations, 49 CFR Part 573.6.

Sure Power, Inc. has decided to voluntarily recall certain battery separators that were manufactured and shipped by Sure Power to authorized distributors and vehicle manufacturers from February 2009 through June 2011.

Product Identification

The recalled product is a battery separator designed for use in multi-battery applications as a solenoid priority system to protect the chassis charging system from excessive loading while allowing auxiliary batteries to charge. Most of these units were sold to distributors, while some were sold to the vehicle manufacturers listed in Attachment A for installation as original equipment.

The following part numbers and serial number ranges may be affected:

Model	Serial # Start	Serial # Stop
1314 (-B, BP-D)	09004545	11002845
1315 (-B, NM)	09002323	11001573
1318	09000274	11000192
1319	09000058	11000013
*Serial numbers are sequential by model number family.		

These products were manufactured by Sure Power. The capacitors used in these parts were supplied by:

AVX Corporation
One AVX Boulevard
Fountain Inn, SC 29644-9039

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Recall Population
The recall population is approximately 14,990, which covers all of the units produced within the referenced production period and sold in the United States; however, this figure is over-inclusive and includes units that are not likely affected by the defect condition.

Description of Defect
Some of the subject units may experience an internal circuit board capacitor failure, which could lead to overheating, smoke and, possibly, a fire during or following use.

Chronology of Events
March 2011 - Report of thermal damage from an Australian aftermarket distributor. These failures were initially believed to be attributed to unique 4x4 applications and operating conditions in the Australian Outback.

June 15, 2011 – Report from a U.S. distributor indicating the battery separator had failed thermally in seven incidents. Analysis of two returned field units indicated that capacitors on the printed circuit board had cracked and shorted through thermo migration.

June 28, 2011 – Report of a vehicle fire from the commercial fleet referenced above. The initial report was that the fire was caused by the battery separator; however, a subsequent inspection revealed that the fire was not caused by the battery separator.

July 2011 – Based on the failures observed in the Australian market, a consumer recall campaign was initiated in that market. Sure Power subsequently notified the Consumer Product Safety Commission and initiated a campaign in the U.S. market.

September 13, 2011 - Report of a vehicle fire in Canada involving a vehicle equipped with a Sure Power battery separator.

September/October – Sure Power arranged for an inspection of the Canada vehicle.

October 7, 2011 - Inspection of the Canadian vehicle was inconclusive concerning the involvement of the battery separator, but the separator was noted as a *possible* cause.

October 13, 2011 – Sure Power decided, out of an abundance of caution, to conduct a safety recall in accordance with the Safety Act and 49 CFR Part 573 and 577.

To date, there have been no reported injuries resulting from this product issue.

Remedy Program
Sure Power will replace affected product with new product at no charge to the customer. Sure Power's direct customers in the aftermarket channel will receive written notification and copies of the Part 577 Owner Letter to disseminate to their customers. (As noted above, Sure Power's direct customers were previously notified of this issue, but Sure Power will initiate a new notification campaign in accordance with NHTSA's regulations.)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Part 577 Owner Letter and Dealer Bulletin

A draft Part 577 Owner Letter and a dealer bulletin will be submitted shortly. Sure Power is prepared to proceed with its customer notification program within five days after NHTSA's review and approval of the Owner Letter.

Please advise the undersigned of the campaign number assigned to this recall.

Sincerely,

James M. Henley
Director, Quality Assurance

cc: RosaMaria Villagomez, Esq. (Cooper US, Inc.)
Christopher H. Grigorian, Esq. (Foley & Lardner LLP)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Attachment A - OEM List

Vehicle Manufacturer	Units Shipped
Altec Industries	483
Executive Coach Builders	40
Terex Corp/Terex Telect Inc/Terex Utilities Inc.	11
Paccar/Kenworth	3
Lance Camper	2025
Utilimaster	8

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

1200 New Jersey Avenue SE
Washington, DC 20590

SEP 20 2012

Sent via USPS Certified Mail

President / General Counsel
Bolt Custom Trucks & Mfg
4532 Allen Martin Dr.
Fort Wayne, IN 46806

NVS-215aa
EQ12-001
11E-045

Subject: Second Request for Information- Response Required

Dear Sir or Madam:

On August 16, 2012, we wrote to your company as part of an ongoing investigation being conducted by the National Highway Traffic Safety Administration (NHTSA) about a safety issue involving certain defective Sure Power, Inc. battery separators that were sold to your company for possible installation into motor vehicles. Your company's response to that letter was due to NHTSA within 10 days of receipt. At this time, we have not received your response.

This letter is being sent in order to remind your company that it must respond to the earlier letter and that your company may have additional obligations under Federal law as we explained in the earlier letter.

A written response to our earlier letter must be submitted to this office within 7 days of your receipt of this letter. Response submission may be made by US Mail to the address listed therein, fax to (202) 366-7882, or e-mail alexander.ansley@dot.gov.

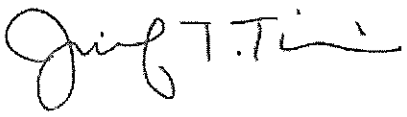
If your company claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Your company must submit supporting information 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. Your company 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.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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 $17,350,000 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 75 Fed. Reg. 79978 (Dec. 21, 2010)). This includes failing to respond to ODI information requests.

I urge your company to comply with this information request in order to ensure that these important issues relating to motor vehicle safety are promptly addressed, and in order to avoid a potential enforcement action against the company in addition to substantial penalties for its failure to respond to an inquiry issued during an official investigation.

Should you have any questions regarding this inquiry, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov.

Sincerely,



Jennifer T. Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosures

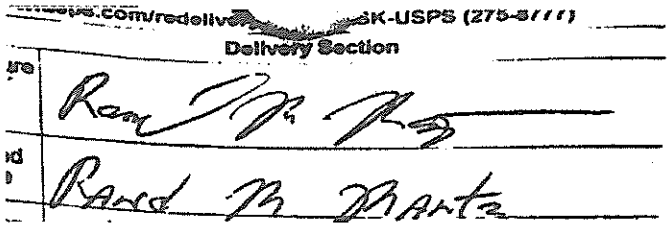
UNITED STATES POSTAL SERVICE

Date Produced: 08/27/2012

US DEPARTMENT OF TRANSPORTATION - NATION

The following is the delivery information for Certified Mail™ item number 7179 1000 1647 6547 0388. Our records indicate that this item was delivered on 08/20/2012 at 10:56 a.m. in FORT WAYNE, IN, 46806. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United

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

1200 New Jersey Avenue SE
Washington, DC 20590

AUG 16 2012

Via USPS Certified Mail
Warranty / Compliance Department
Bolt Custom Trucks & Mfg
4532 Allen Martin Dr.
Fort Wayne, IN 46806

NVS-215aa
EQ12-001
11E-045

Re: Safety Recall 11E-045

Dear Sir or Madam:

The Office of Defects Investigation (ODI), Recall Management Division (RMD) is conducting an equipment query (EQ) investigation in relation to certain Sure Power, Inc. (Sure Power) battery separators that the manufacturer has decided contain a safety related defect that could cause a vehicle fire. This investigation has been assigned the identification EQ12-001.

In a letter dated October 20, 2011, Sure Power notified the NHTSA that it had decided certain Sure Power battery separators contain a safety related defect. Sure Power stated that certain battery separators, shipped to various distributors and vehicle manufacturers between February 2009 and June 2011, may experience an internal circuit board capacitor failure. A circuit board capacitor failure could lead to overheating, smoke, and, possibly, a fire during or following use. NHTSA assigned recall number 11E-045 to this matter. A copy of the respective notification is enclosed for your information.

Orr & Orr Inc., a Sure Power distributor, reported to NHTSA that it sold 5 of these defective battery separators to Bolt Custom Trucks & Mfg (your company).

Pursuant to Federal law, a manufacturer of motor vehicles or motor vehicle equipment must notify NHTSA, within five (5) business days, when they first learn a safety defect or a noncompliance with a Federal Motor Vehicle Safety Standard exists in that equipment. In the case of a defect or noncompliance in original equipment installed in the vehicles of more than one manufacturer, notification to NHTSA must be made by the original equipment manufacturer as to the equipment item, and by each vehicle manufacturer as to those vehicles it manufactured in which the defective equipment was installed. The content of that notification is specified in 49 U.S.C. 573.6, Defect and Noncompliance Information Report.

In view of this safety risk, and your company's obligations under Federal law should you decide your vehicles contain a defect, we are also reminding your company that it is required to issue timely notification to owners who may have purchased vehicles with defective battery separators. In advance of issuing its owner notification letters, your company must submit a draft of its letter to NHTSA for review. Your company is reminded that this letter must meet the requirements of 49 CFR 577.5, "Notification pursuant to a manufacturer's decision." Your company is further reminded that notifications must be sent to those persons

registered under State law as the owners of the vehicles. If particular owners cannot be reasonably ascertained by State records, notifications must be sent to those persons you identify as the most recent purchasers. We are also reminding your company that it is required to notify dealers and distributors as required by 49 CFR 577.13.

In addition to the Part 573 Defect Report and the draft owner notification letter, please also provide a proposed schedule for conducting the owner notification that includes the following information:

a. the date on which the search of current state motor vehicle registration records will be initiated in order to update the original owner list;

b. the approximate date on which the revised owner list will be available to initiate owner notification;

c. the approximate date on which the owner notification will begin;

d. the approximate date on which the owner notification will be completed (if the owner notification is to be staggered, give the beginning and ending owner notification date for each segment); and

e. the approximate date on which the dealer notification will be completed.

If your company has not received any of this equipment, or if your products are not available to be sold, offered for sale, delivered, or imported into the United States, please so state. If your company does not agree with Sure Power that a defect exists in these battery separators, you must submit a written response explaining your decision including all supporting documents, analysis, and/or test reports.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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.

If your company 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, your company 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. Your company 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.

Your company's written response must be submitted to this office within 10 days of receiving this letter. In your response, please be certain to include a reference to this matter's identification number which is EQ12-001.

If you have any questions concerning this matter, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov. Response submissions may be made by US Mail, fax (202) 366-7882, or e-mail rmd.odi@dot.gov.

Sincerely,

Jennifer Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosure

11E-045
(4 pages)

Ellisville, MO 63021

RECEIVED
By Recall Management Division at 8:07 am, Oct 21, 2011

COOPER Bussmann

BY CERTIFIED MAIL AND ELECTRONIC MAIL (rmd.odi@dot.gov)

October 20, 2011

Mr. Claude H. Harris
Acting Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Harris:

The following information is submitted in accordance with the National Highway Traffic Safety Administration's defect reporting regulations, 49 CFR Part 573.6.

Sure Power, Inc. has decided to voluntarily recall certain battery separators that were manufactured and shipped by Sure Power to authorized distributors and vehicle manufacturers from February 2009 through June 2011.

Product Identification

The recalled product is a battery separator designed for use in multi-battery applications as a solenoid priority system to protect the chassis charging system from excessive loading while allowing auxiliary batteries to charge. Most of these units were sold to distributors, while some were sold to the vehicle manufacturers listed in Attachment A for installation as original equipment.

The following part numbers and serial number ranges may be affected:

Model	Serial # Start	Serial # Stop
1314 (-B, BP-D)	09004545	11002845
1315 (-B, NM)	09002323	11001573
1318	09000274	11000192
1319	09000058	11000013
*Serial numbers are sequential by model number family.		

These products were manufactured by Sure Power. The capacitors used in these parts were supplied by:

AVX Corporation
One AVX Boulevard
Fountain Inn, SC 29644-9039

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Recall Population
The recall population is approximately 14,990, which covers all of the units produced within the referenced production period and sold in the United States; however, this figure is over-inclusive and includes units that are not likely affected by the defect condition.

Description of Defect
Some of the subject units may experience an internal circuit board capacitor failure, which could lead to overheating, smoke and, possibly, a fire during or following use.

Chronology of Events
March 2011 - Report of thermal damage from an Australian aftermarket distributor. These failures were initially believed to be attributed to unique 4x4 applications and operating conditions in the Australian Outback.

June 15, 2011 – Report from a U.S. distributor indicating the battery separator had failed thermally in seven incidents. Analysis of two returned field units indicated that capacitors on the printed circuit board had cracked and shorted through thermo migration.

June 28, 2011 – Report of a vehicle fire from the commercial fleet referenced above. The initial report was that the fire was caused by the battery separator; however, a subsequent inspection revealed that the fire was not caused by the battery separator.

July 2011 – Based on the failures observed in the Australian market, a consumer recall campaign was initiated in that market. Sure Power subsequently notified the Consumer Product Safety Commission and initiated a campaign in the U.S. market.

September 13, 2011 - Report of a vehicle fire in Canada involving a vehicle equipped with a Sure Power battery separator.

September/October – Sure Power arranged for an inspection of the Canada vehicle.

October 7, 2011 - Inspection of the Canadian vehicle was inconclusive concerning the involvement of the battery separator, but the separator was noted as a *possible* cause.

October 13, 2011 – Sure Power decided, out of an abundance of caution, to conduct a safety recall in accordance with the Safety Act and 49 CFR Part 573 and 577.

To date, there have been no reported injuries resulting from this product issue.

Remedy Program
Sure Power will replace affected product with new product at no charge to the customer. Sure Power's direct customers in the aftermarket channel will receive written notification and copies of the Part 577 Owner Letter to disseminate to their customers. (As noted above, Sure Power's direct customers were previously notified of this issue, but Sure Power will initiate a new notification campaign in accordance with NHTSA's regulations.)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Part 577 Owner Letter and Dealer Bulletin

A draft Part 577 Owner Letter and a dealer bulletin will be submitted shortly. Sure Power is prepared to proceed with its customer notification program within five days after NHTSA's review and approval of the Owner Letter.

Please advise the undersigned of the campaign number assigned to this recall.

Sincerely,

James M. Henley
Director, Quality Assurance

cc: RosaMaria Villagomez, Esq. (Cooper US, Inc.)
Christopher H. Grigorian, Esq. (Foley & Lardner LLP)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Attachment A - OEM List

Vehicle Manufacturer	Units Shipped
Altec Industries	483
Executive Coach Builders	40
Terex Corp/Terex Telect Inc/Terex Utilities Inc.	11
Paccar/Kenworth	3
Lance Camper	2025
Utilimaster	8

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

1200 New Jersey Avenue SE
Washington, DC 20590

SEP 20 2012

Sent via USPS Certified Mail

President / General Counsel
Erie Vehicle Company
60 E. 51st Street
Chicago, IL 60615

NVS-215aa
EQ12-001
11E-045

Subject: Second Request for Information- Response Required

Dear Sir or Madam:

On August 16, 2012, we wrote to your company as part of an ongoing investigation being conducted by the National Highway Traffic Safety Administration (NHTSA) about a safety issue involving certain defective Sure Power, Inc. battery separators that were sold to your company for possible installation into motor vehicles. Your company's response to that letter was due to NHTSA within 10 days of receipt. At this time, we have not received your response.

This letter is being sent in order to remind your company that it must respond to the earlier letter and that your company may have additional obligations under Federal law as we explained in the earlier letter.

A written response to our earlier letter must be submitted to this office within 7 days of your receipt of this letter. Response submission may be made by US Mail to the address listed therein, fax to (202) 366-7882, or e-mail alexander.ansley@dot.gov.

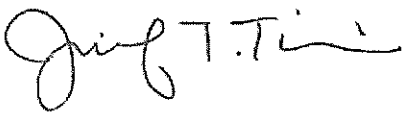
If your company claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Your company must submit supporting information 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. Your company 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.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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 $17,350,000 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 75 Fed. Reg. 79978 (Dec. 21, 2010)). This includes failing to respond to ODI information requests.

I urge your company to comply with this information request in order to ensure that these important issues relating to motor vehicle safety are promptly addressed, and in order to avoid a potential enforcement action against the company in addition to substantial penalties for its failure to respond to an inquiry issued during an official investigation.

Should you have any questions regarding this inquiry, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov.

Sincerely,



Jennifer T. Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosures

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

1200 New Jersey Avenue SE
Washington, DC 20590

AUG 16 2012

Via USPS Certified Mail
Warranty / Compliance Department
Erie Vehicle Company
60 E. 51st Street
Chicago, IL 60615

NVS-215aa
EQ12-001
11E-045

Re: Safety Recall 11E-045

Dear Sir or Madam:

The Office of Defects Investigation (ODI), Recall Management Division (RMD) is conducting an equipment query (EQ) investigation in relation to certain Sure Power, Inc. (Sure Power) battery separators that the manufacturer has decided contain a safety related defect that could cause a vehicle fire. This investigation has been assigned the identification EQ12-001.

In a letter dated October 20, 2011, Sure Power notified the NHTSA that it had decided certain Sure Power battery separators contain a safety related defect. Sure Power stated that certain battery separators, shipped to various distributors and vehicle manufacturers between February 2009 and June 2011, may experience an internal circuit board capacitor failure. A circuit board capacitor failure could lead to overheating, smoke, and, possibly, a fire during or following use. NHTSA assigned recall number 11E-045 to this matter. A copy of the respective notification is enclosed for your information.

Orr & Orr Inc., a Sure Power distributor, reported to NHTSA that it sold 8 of these defective battery separators to Erie Vehicle Company (your company).

Pursuant to Federal law, a manufacturer of motor vehicles or motor vehicle equipment must notify NHTSA, within five (5) business days, when they first learn a safety defect or a noncompliance with a Federal Motor Vehicle Safety Standard exists in that equipment. In the case of a defect or noncompliance in original equipment installed in the vehicles of more than one manufacturer, notification to NHTSA must be made by the original equipment manufacturer as to the equipment item, and by each vehicle manufacturer as to those vehicles it manufactured in which the defective equipment was installed. The content of that notification is specified in 49 U.S.C. 573.6, Defect and Noncompliance Information Report.

In view of this safety risk, and your company's obligations under Federal law should you decide your vehicles contain a defect, we are also reminding your company that it is required to issue timely notification to owners who may have purchased vehicles with defective battery separators. In advance of issuing its owner notification letters, your company must submit a draft of its letter to NHTSA for review. Your company is reminded that this letter must meet the requirements of 49 CFR 577.5, "Notification pursuant to a manufacturer's decision." Your company is further reminded that notifications must be sent to those persons

registered under State law as the owners of the vehicles. If particular owners cannot be reasonably ascertained by State records, notifications must be sent to those persons you identify as the most recent purchasers. We are also reminding your company that it is required to notify dealers and distributors as required by 49 CFR 577.13.

In addition to the Part 573 Defect Report and the draft owner notification letter, please also provide a proposed schedule for conducting the owner notification that includes the following information:

a. the date on which the search of current state motor vehicle registration records will be initiated in order to update the original owner list;

b. the approximate date on which the revised owner list will be available to initiate owner notification;

c. the approximate date on which the owner notification will begin;

d. the approximate date on which the owner notification will be completed (if the owner notification is to be staggered, give the beginning and ending owner notification date for each segment); and

e. the approximate date on which the dealer notification will be completed.

If your company has not received any of this equipment, or if your products are not available to be sold, offered for sale, delivered, or imported into the United States, please so state. If your company does not agree with Sure Power that a defect exists in these battery separators, you must submit a written response explaining your decision including all supporting documents, analysis, and/or test reports.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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.

If your company 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, your company 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. Your company 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.

Your company's written response must be submitted to this office within 10 days of receiving this letter. In your response, please be certain to include a reference to this matter's identification number which is EQ12-001.

If you have any questions concerning this matter, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov. Response submissions may be made by US Mail, fax (202) 366-7882, or e-mail rmd.odi@dot.gov.

Sincerely,

Jennifer Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosure

11E-045
(4 pages)

Ellisville, MO 63021

RECEIVED
By Recall Management Division at 8:07 am, Oct 21, 2011

COOPER Bussmann

BY CERTIFIED MAIL AND ELECTRONIC MAIL (rmd.odi@dot.gov)

October 20, 2011

Mr. Claude H. Harris
Acting Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Harris:

The following information is submitted in accordance with the National Highway Traffic Safety Administration's defect reporting regulations, 49 CFR Part 573.6.

Sure Power, Inc. has decided to voluntarily recall certain battery separators that were manufactured and shipped by Sure Power to authorized distributors and vehicle manufacturers from February 2009 through June 2011.

Product Identification

The recalled product is a battery separator designed for use in multi-battery applications as a solenoid priority system to protect the chassis charging system from excessive loading while allowing auxiliary batteries to charge. Most of these units were sold to distributors, while some were sold to the vehicle manufacturers listed in Attachment A for installation as original equipment.

The following part numbers and serial number ranges may be affected:

Model	Serial # Start	Serial # Stop
1314 (-B, BP-D)	09004545	11002845
1315 (-B, NM)	09002323	11001573
1318	09000274	11000192
1319	09000058	11000013
*Serial numbers are sequential by model number family.		

These products were manufactured by Sure Power. The capacitors used in these parts were supplied by:

AVX Corporation
One AVX Boulevard
Fountain Inn, SC 29644-9039

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Recall Population
The recall population is approximately 14,990, which covers all of the units produced within the referenced production period and sold in the United States; however, this figure is over-inclusive and includes units that are not likely affected by the defect condition.

Description of Defect
Some of the subject units may experience an internal circuit board capacitor failure, which could lead to overheating, smoke and, possibly, a fire during or following use.

Chronology of Events
March 2011 - Report of thermal damage from an Australian aftermarket distributor. These failures were initially believed to be attributed to unique 4x4 applications and operating conditions in the Australian Outback.

June 15, 2011 – Report from a U.S. distributor indicating the battery separator had failed thermally in seven incidents. Analysis of two returned field units indicated that capacitors on the printed circuit board had cracked and shorted through thermo migration.

June 28, 2011 – Report of a vehicle fire from the commercial fleet referenced above. The initial report was that the fire was caused by the battery separator; however, a subsequent inspection revealed that the fire was not caused by the battery separator.

July 2011 – Based on the failures observed in the Australian market, a consumer recall campaign was initiated in that market. Sure Power subsequently notified the Consumer Product Safety Commission and initiated a campaign in the U.S. market.

September 13, 2011 - Report of a vehicle fire in Canada involving a vehicle equipped with a Sure Power battery separator.

September/October – Sure Power arranged for an inspection of the Canada vehicle.

October 7, 2011 - Inspection of the Canadian vehicle was inconclusive concerning the involvement of the battery separator, but the separator was noted as a *possible* cause.

October 13, 2011 – Sure Power decided, out of an abundance of caution, to conduct a safety recall in accordance with the Safety Act and 49 CFR Part 573 and 577.

To date, there have been no reported injuries resulting from this product issue.

Remedy Program
Sure Power will replace affected product with new product at no charge to the customer. Sure Power's direct customers in the aftermarket channel will receive written notification and copies of the Part 577 Owner Letter to disseminate to their customers. (As noted above, Sure Power's direct customers were previously notified of this issue, but Sure Power will initiate a new notification campaign in accordance with NHTSA's regulations.)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Part 577 Owner Letter and Dealer Bulletin

A draft Part 577 Owner Letter and a dealer bulletin will be submitted shortly. Sure Power is prepared to proceed with its customer notification program within five days after NHTSA's review and approval of the Owner Letter.

Please advise the undersigned of the campaign number assigned to this recall.

Sincerely,

James M. Henley
Director, Quality Assurance

cc: RosaMaria Villagomez, Esq. (Cooper US, Inc.)
Christopher H. Grigorian, Esq. (Foley & Lardner LLP)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Attachment A - OEM List

Vehicle Manufacturer	Units Shipped
Altec Industries	483
Executive Coach Builders	40
Terex Corp/Terex Telect Inc/Terex Utilities Inc.	11
Paccar/Kenworth	3
Lance Camper	2025
Utilimaster	8

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

1200 New Jersey Avenue SE
Washington, DC 20590

SEP 20 2012

Sent via USPS Certified Mail

President / General Counsel
Trivan Truck Body
1385 W. Smith Road
Ferndale, WA 98248

NVS-215aa
EQ12-001
11E-045

Subject: Second Request for Information- Response Required

Dear Sir or Madam:

On August 16, 2012, we wrote to your company as part of an ongoing investigation being conducted by the National Highway Traffic Safety Administration (NHTSA) about a safety issue involving certain defective Sure Power, Inc. battery separators that were sold to your company for possible installation into motor vehicles. Your company's response to that letter was due to NHTSA within 10 days of receipt. At this time, we have not received your response.

This letter is being sent in order to remind your company that it must respond to the earlier letter and that your company may have additional obligations under Federal law as we explained in the earlier letter.

A written response to our earlier letter must be submitted to this office within 7 days of your receipt of this letter. Response submission may be made by US Mail to the address listed therein, fax to (202) 366-7882, or e-mail alexander.ansley@dot.gov.

If your company 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, Your company 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. Your company 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.

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I urge your company to comply with this information request in order to ensure that these important issues relating to motor vehicle safety are promptly addressed, and in order to avoid a potential enforcement action against the company in addition to substantial penalties for its failure to respond to an inquiry issued during an official investigation.

Should you have any questions regarding this inquiry, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov.

Sincerely,

Jennifer T. Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosures

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

AUG 16 2012

1200 New Jersey Avenue SE
Washington, DC 20590

Via USPS Certified Mail
Warranty / Compliance Department
Trivan Truck Body
1385 W. Smith Road
Ferndale, WA 98248

NVS-215aa
EQ12-001
11E-045

Re: Safety Recall 11E-045

Dear Sir or Madam:

The Office of Defects Investigation (ODI), Recall Management Division (RMD) is conducting an equipment query (EQ) investigation in relation to certain Sure Power, Inc. battery separators that the manufacturer has decided contain a safety related defect that could cause a vehicle fire. This investigation has been assigned the identification EQ12-001.

In a letter dated October 20, 2011, Sure Power, Inc. (Sure Power) notified the NHTSA that it had decided certain Sure Power battery separators contain a safety related defect. Sure Power stated that certain battery separators, shipped to various distributors and vehicle manufacturers between February 2009 and June 2011, may experience an internal circuit board capacitor failure. A circuit board capacitor failure could lead to overheating, smoke, and, possibly, a fire during or following use. NHTSA assigned recall number 11E-045 to this matter. A copy of the respective notification is enclosed for your information.

NTP Distribution, a Sure Power distributor, reported to NHTSA that it sold 3 of these defective battery separators to Trivan Truck Body (your company).

The purpose of this request is to obtain a list of purchasers that were sold these battery separators so they are made aware of this safety defect decision and are able to determine the need for any similar safety recall on products they may have manufactured using the same equipment. It is also to request your company provide the requisite defect report should it agree that it manufactured and sold defective motor vehicles or motor vehicle equipment to its purchasers. It is further to ascertain whether your company manufactured and sold or distributed any defective equipment in the replacement market for which it may have responsibility for filing a report with NHTSA and conducting a recall campaign. Accordingly, we require the following information:

1. Provide a list of all customers that received the same or similarly defective Sure Power battery separators from your company and provide their company name, line of business (i.e. vehicle manufacturer, equipment manufacturer, distributor, etc.), address, phone number, contact person, quantity sold to each, and sale date.

2. State whether your company manufactured and sold or distributed any motor vehicle equipment containing these Sure Power battery separators and, if so, provide a list of all purchasers that received this equipment from your company and provide their company name, line of business (i.e. vehicle manufacturer, equipment manufacturer, distributor, etc.), address, phone number, contact person, quantity sold to each, and sale date.

Pursuant to Federal law, a manufacturer of motor vehicles or motor vehicle equipment must notify NHTSA, within five (5) business days, when they first learn a safety defect or a noncompliance with a Federal Motor Vehicle Safety Standard exists in that equipment. In the case of a defect or noncompliance in original equipment installed in the vehicles of more than one manufacturer, notification to NHTSA must be made by the original equipment manufacturer as to the equipment item, and by each vehicle manufacturer as to those vehicles it manufactured in which the defective equipment was installed. The content of that notification is specified in 49 U.S.C. 573.6, Defect and Noncompliance Information Report.

If your company has not received any of this equipment, or if your products are not available to be sold, offered for sale, delivered, or imported into the United States, please so state. If your company does not agree with Sure Power that a defect exists in these battery separators, you must submit a written response explaining your decision including all supporting documents, analysis, and/or test reports.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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.

If your company 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, your company 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. Your company 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.

Your company's written response must be submitted to this office within 10 days of receiving this letter. In your response, please be certain to include a reference to this matter's identification number which is EQ12-001.

If you have any questions concerning this matter, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov. Response submissions may be made by US Mail, fax (202) 366-7882, or e-mail rmd.odi@dot.gov.

Sincerely,

Jennifer Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosure

11E-045
(4 pages)

Ellisville, MO 63021

RECEIVED
By Recall Management Division at 8:07 am, Oct 21, 2011

COOPER Bussmann

BY CERTIFIED MAIL AND ELECTRONIC MAIL (rmd.odi@dot.gov)

October 20, 2011

Mr. Claude H. Harris
Acting Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Harris:

The following information is submitted in accordance with the National Highway Traffic Safety Administration's defect reporting regulations, 49 CFR Part 573.6.

Sure Power, Inc. has decided to voluntarily recall certain battery separators that were manufactured and shipped by Sure Power to authorized distributors and vehicle manufacturers from February 2009 through June 2011.

Product Identification

The recalled product is a battery separator designed for use in multi-battery applications as a solenoid priority system to protect the chassis charging system from excessive loading while allowing auxiliary batteries to charge. Most of these units were sold to distributors, while some were sold to the vehicle manufacturers listed in Attachment A for installation as original equipment.

The following part numbers and serial number ranges may be affected:

Model	Serial # Start	Serial # Stop
1314 (-B, BP-D)	09004545	11002845
1315 (-B, NM)	09002323	11001573
1318	09000274	11000192
1319	09000058	11000013
*Serial numbers are sequential by model number family.		

These products were manufactured by Sure Power. The capacitors used in these parts were supplied by:

AVX Corporation
One AVX Boulevard
Fountain Inn, SC 29644-9039

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Recall Population
The recall population is approximately 14,990, which covers all of the units produced within the referenced production period and sold in the United States; however, this figure is over-inclusive and includes units that are not likely affected by the defect condition.

Description of Defect
Some of the subject units may experience an internal circuit board capacitor failure, which could lead to overheating, smoke and, possibly, a fire during or following use.

Chronology of Events
March 2011 - Report of thermal damage from an Australian aftermarket distributor. These failures were initially believed to be attributed to unique 4x4 applications and operating conditions in the Australian Outback.

June 15, 2011 – Report from a U.S. distributor indicating the battery separator had failed thermally in seven incidents. Analysis of two returned field units indicated that capacitors on the printed circuit board had cracked and shorted through thermo migration.

June 28, 2011 – Report of a vehicle fire from the commercial fleet referenced above. The initial report was that the fire was caused by the battery separator; however, a subsequent inspection revealed that the fire was not caused by the battery separator.

July 2011 – Based on the failures observed in the Australian market, a consumer recall campaign was initiated in that market. Sure Power subsequently notified the Consumer Product Safety Commission and initiated a campaign in the U.S. market.

September 13, 2011 - Report of a vehicle fire in Canada involving a vehicle equipped with a Sure Power battery separator.

September/October – Sure Power arranged for an inspection of the Canada vehicle.

October 7, 2011 - Inspection of the Canadian vehicle was inconclusive concerning the involvement of the battery separator, but the separator was noted as a *possible* cause.

October 13, 2011 – Sure Power decided, out of an abundance of caution, to conduct a safety recall in accordance with the Safety Act and 49 CFR Part 573 and 577.

To date, there have been no reported injuries resulting from this product issue.

Remedy Program
Sure Power will replace affected product with new product at no charge to the customer. Sure Power's direct customers in the aftermarket channel will receive written notification and copies of the Part 577 Owner Letter to disseminate to their customers. (As noted above, Sure Power's direct customers were previously notified of this issue, but Sure Power will initiate a new notification campaign in accordance with NHTSA's regulations.)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Part 577 Owner Letter and Dealer Bulletin

A draft Part 577 Owner Letter and a dealer bulletin will be submitted shortly. Sure Power is prepared to proceed with its customer notification program within five days after NHTSA's review and approval of the Owner Letter.

Please advise the undersigned of the campaign number assigned to this recall.

Sincerely,

James M. Henley
Director, Quality Assurance

cc: RosaMaria Villagomez, Esq. (Cooper US, Inc.)
Christopher H. Grigorian, Esq. (Foley & Lardner LLP)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Attachment A - OEM List

Vehicle Manufacturer	Units Shipped
Altec Industries	483
Executive Coach Builders	40
Terex Corp/Terex Telect Inc/Terex Utilities Inc.	11
Paccar/Kenworth	3
Lance Camper	2025
Utilimaster	8

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

1200 New Jersey Avenue SE
Washington, DC 20590

SEP 24 2012

Sent via USPS Certified Mail

President / General Counsel
Whatcom Electric
2021 Toledo
Bellingham, WA 98229

NVS-215aa
EQ12-001
11E-045

Subject: Second Request for Information- Response Required

Dear Sir or Madam:

On August 16, 2012, we wrote to your company as part of an ongoing investigation being conducted by the National Highway Traffic Safety Administration (NHTSA) about a safety issue involving certain defective Sure Power, Inc. battery separators that were sold to your company for possible installation into motor vehicles. Your company's response to that letter was due to NHTSA within 10 days of receipt. At this time, we have not received your response.

This letter is being sent in order to remind your company that it must respond to the earlier letter and that your company may have additional obligations under Federal law as we explained in the earlier letter.

A written response to our earlier letter must be submitted to this office within 7 days of your receipt of this letter. Response submission may be made by US Mail to the address listed therein, fax to (202) 366-7882, or e-mail alexander.ansley@dot.gov.

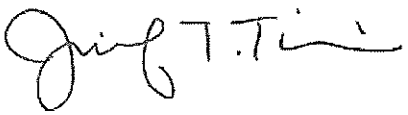
If your company claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Your company must submit supporting information 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. Your company 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.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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 $17,350,000 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 75 Fed. Reg. 79978 (Dec. 21, 2010)). This includes failing to respond to ODI information requests.

I urge your company to comply with this information request in order to ensure that these important issues relating to motor vehicle safety are promptly addressed, and in order to avoid a potential enforcement action against the company in addition to substantial penalties for its failure to respond to an inquiry issued during an official investigation.

Should you have any questions regarding this inquiry, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov.

Sincerely,



Jennifer T. Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosures

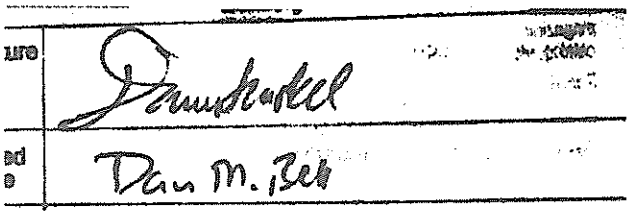
UNITED STATES POSTAL SERVICE

Date Produced: 09/03/2012

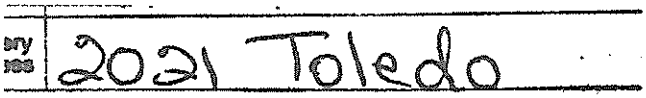
US DEPARTMENT OF TRANSPORTATION - NATION

The following is the delivery information for Certified Mail™ item number 7179 1000 1643 0343 6135. Our records indicate that this item was delivered on 08/31/2012 at 11:08 a.m. in BELLINGHAM, WA, 98229. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,

United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: NVS-215-Attn: Warranty / Comp

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

1200 New Jersey Avenue SE
Washington, DC 20590

AUG 16 2012

Via USPS Certified Mail
Warranty / Compliance Department
Whatcom Electric
2121 Toledo
Bellingham, WA 98229

NVS-215aa
EQ12-001
11E-045

Re: Safety Recall 11E-045

Dear Sir or Madam:

The Office of Defects Investigation (ODI), Recall Management Division (RMD) is conducting an equipment query (EQ) investigation in relation to certain Sure Power, Inc. battery separators that the manufacturer has decided contain a safety related defect that could cause a vehicle fire. This investigation has been assigned the identification EQ12-001.

In a letter dated October 20, 2011, Sure Power, Inc. (Sure Power) notified the NHTSA that it had decided certain Sure Power battery separators contain a safety related defect. Sure Power stated that certain battery separators, shipped to various distributors and vehicle manufacturers between February 2009 and June 2011, may experience an internal circuit board capacitor failure. A circuit board capacitor failure could lead to overheating, smoke, and, possibly, a fire during or following use. NHTSA assigned recall number 11E-045 to this matter. A copy of the respective notification is enclosed for your information.

Smith Auto Electric, a Sure Power distributor, reported to NHTSA that it sold 11 of these defective battery separators to Whatcom Electric (your company).

The purpose of this request is to obtain a list of purchasers that were sold these battery separators so they are made aware of this safety defect decision and are able to determine the need for any similar safety recall on products they may have manufactured using the same equipment. It is also to request your company provide the requisite defect report should it agree that it manufactured and sold defective motor vehicles or motor vehicle equipment to its purchasers. It is further to ascertain whether your company manufactured and sold or distributed any defective equipment in the replacement market for which it may have responsibility for filing a report with NHTSA and conducting a recall campaign. Accordingly, we require the following information:

1. Provide a list of all customers that received the same or similarly defective Sure Power battery separators from your company and provide their company name, line of business (i.e. vehicle manufacturer, equipment manufacturer, distributor, etc.), address, phone number, contact person, quantity sold to each, and sale date.

2. State whether your company manufactured and sold or distributed any motor vehicle equipment containing these Sure Power battery separators and, if so, provide a list of all purchasers that received this equipment from your company and provide their company name, line of business (i.e. vehicle manufacturer, equipment manufacturer, distributor, etc.), address, phone number, contact person, quantity sold to each, and sale date.

Pursuant to Federal law, a manufacturer of motor vehicles or motor vehicle equipment must notify NHTSA, within five (5) business days, when they first learn a safety defect or a noncompliance with a Federal Motor Vehicle Safety Standard exists in that equipment. In the case of a defect or noncompliance in original equipment installed in the vehicles of more than one manufacturer, notification to NHTSA must be made by the original equipment manufacturer as to the equipment item, and by each vehicle manufacturer as to those vehicles it manufactured in which the defective equipment was installed. The content of that notification is specified in 49 U.S.C. 573.6, Defect and Noncompliance Information Report.

If your company has not received any of this equipment, or if your products are not available to be sold, offered for sale, delivered, or imported into the United States, please so state. If your company does not agree with Sure Power that a defect exists in these battery separators, you must submit a written response explaining your decision including all supporting documents, analysis, and/or test reports.

This letter is being sent to your company 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. Your company's failure to respond promptly and fully to this letter could subject your company 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.

If your company 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, your company 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. Your company 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.

Your company's written response must be submitted to this office within 10 days of receiving this letter. In your response, please be certain to include a reference to this matter's identification number which is EQ12-001.

If you have any questions concerning this matter, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov. Response submissions may be made by US Mail, fax (202) 366-7882, or e-mail rmd.odi@dot.gov.

Sincerely,

Jennifer Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosure

11E-045
(4 pages)

Ellisville, MO 63021

RECEIVED
By Recall Management Division at 8:07 am, Oct 21, 2011

COOPER Bussmann

BY CERTIFIED MAIL AND ELECTRONIC MAIL (rmd.odi@dot.gov)

October 20, 2011

Mr. Claude H. Harris
Acting Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Harris:

The following information is submitted in accordance with the National Highway Traffic Safety Administration's defect reporting regulations, 49 CFR Part 573.6.

Sure Power, Inc. has decided to voluntarily recall certain battery separators that were manufactured and shipped by Sure Power to authorized distributors and vehicle manufacturers from February 2009 through June 2011.

Product Identification

The recalled product is a battery separator designed for use in multi-battery applications as a solenoid priority system to protect the chassis charging system from excessive loading while allowing auxiliary batteries to charge. Most of these units were sold to distributors, while some were sold to the vehicle manufacturers listed in Attachment A for installation as original equipment.

The following part numbers and serial number ranges may be affected:

Model	Serial # Start	Serial # Stop
1314 (-B, BP-D)	09004545	11002845
1315 (-B, NM)	09002323	11001573
1318	09000274	11000192
1319	09000058	11000013
*Serial numbers are sequential by model number family.		

These products were manufactured by Sure Power. The capacitors used in these parts were supplied by:

AVX Corporation
One AVX Boulevard
Fountain Inn, SC 29644-9039

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Recall Population
The recall population is approximately 14,990, which covers all of the units produced within the referenced production period and sold in the United States; however, this figure is over-inclusive and includes units that are not likely affected by the defect condition.

Description of Defect
Some of the subject units may experience an internal circuit board capacitor failure, which could lead to overheating, smoke and, possibly, a fire during or following use.

Chronology of Events
March 2011 - Report of thermal damage from an Australian aftermarket distributor. These failures were initially believed to be attributed to unique 4x4 applications and operating conditions in the Australian Outback.

June 15, 2011 – Report from a U.S. distributor indicating the battery separator had failed thermally in seven incidents. Analysis of two returned field units indicated that capacitors on the printed circuit board had cracked and shorted through thermo migration.

June 28, 2011 – Report of a vehicle fire from the commercial fleet referenced above. The initial report was that the fire was caused by the battery separator; however, a subsequent inspection revealed that the fire was not caused by the battery separator.

July 2011 – Based on the failures observed in the Australian market, a consumer recall campaign was initiated in that market. Sure Power subsequently notified the Consumer Product Safety Commission and initiated a campaign in the U.S. market.

September 13, 2011 - Report of a vehicle fire in Canada involving a vehicle equipped with a Sure Power battery separator.

September/October – Sure Power arranged for an inspection of the Canada vehicle.

October 7, 2011 - Inspection of the Canadian vehicle was inconclusive concerning the involvement of the battery separator, but the separator was noted as a *possible* cause.

October 13, 2011 – Sure Power decided, out of an abundance of caution, to conduct a safety recall in accordance with the Safety Act and 49 CFR Part 573 and 577.

To date, there have been no reported injuries resulting from this product issue.

Remedy Program
Sure Power will replace affected product with new product at no charge to the customer. Sure Power's direct customers in the aftermarket channel will receive written notification and copies of the Part 577 Owner Letter to disseminate to their customers. (As noted above, Sure Power's direct customers were previously notified of this issue, but Sure Power will initiate a new notification campaign in accordance with NHTSA's regulations.)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Part 577 Owner Letter and Dealer Bulletin

A draft Part 577 Owner Letter and a dealer bulletin will be submitted shortly. Sure Power is prepared to proceed with its customer notification program within five days after NHTSA's review and approval of the Owner Letter.

Please advise the undersigned of the campaign number assigned to this recall.

Sincerely,

James M. Henley
Director, Quality Assurance

cc: RosaMaria Villagomez, Esq. (Cooper US, Inc.)
Christopher H. Grigorian, Esq. (Foley & Lardner LLP)

Cooper Bussmann
114 Old State Road
Ellisville, MO 63021

Attachment A - OEM List

Vehicle Manufacturer	Units Shipped
Altec Industries	483
Executive Coach Builders	40
Terex Corp/Terex Telect Inc/Terex Utilities Inc.	11
Paccar/Kenworth	3
Lance Camper	2025
Utilimaster	8