

Willard, Richard (NHTSA)

From: Tim.Nalepka@MCICoach.com
Sent: Tuesday, June 26, 2012 10:05 AM
To: Willard, Richard (NHTSA)
Cc: York, Bruce (NHTSA)
Subject: SUPPLEMENTAL REQUESTS FROM NHTSA RE PE12-007

Ric,

The new requests have greatly expanded the universe of vehicles responsive to your requests. We have gone from 400 or so vehicles to now more than 9600 additional coaches. The huge increase in the vehicle population will require MCI to expend substantial man-hours to search for and compile responsive data.

Accordingly, MCI's goal will be to provide you with the response to request 5 by the end of this week, with the rest of the requested data (to the extent it's still available) by the end of July, earlier if at all possible. Thank you.

Timothy J. Nalepka
Senior Vice President, General Counsel, and Secretary
Motor Coach Industries International, Inc.
1700 E. Golf Road, Suite 300
Schaumburg, Illinois 60173
Phone: (847) 285-2085
Direct Fax: (502) 318-8085
Dept. Fax: (847) 285-2095
tim.nalepka@mcicoach.com

<Richard.Willard@dot.gov>

06/14/2012 09:53 AM

To <Tim.Nalepka@MCICoach.com>
cc <Bruce.York@dot.gov>
Subject RE: MCI'S RESPONSE TO SUPPLEMENTAL REQUESTS FROM NHTSA RE PE12-007

Thank you Tim,

This new information suggests the need for additional supplemental information requests; it also appears to be incomplete. Specifically your response has made us aware of at least two additional transmissions of the same or longer length than those subject to PE12-007. It has also made us aware of an MCI retrofit kit (T13-1058B) designed to install a transmission that is subject to this investigation and to buses that may not otherwise have been included in its scope.

From our conversation on Tuesday I understand there may have been some confusion over whether ODI was interested in buses with Allison B500 transmissions. I think to get a full picture we must look at the production, warranty and claims of all MCI buses that have been equipped with a steerable tag axle that is substantially similar to those involved in this investigation regardless of powertrain combination. We would also like to know which of those buses have had changes made to powertrain combinations that would affect the drive shaft length through an MCI designed retrofit kit.

Once again, please propose a response plan if you need longer than two weeks to reply to any of the below requests.

5. In MS Excel or compatible format, entitled "PRODUCTION_DATA_ALL_AMENDED," and except were previously provided in relation to this investigation, state, by model, model year and transmission, how many vehicles originally equipped with substantially similar steerable tag axles to those of the vehicles subject to this investigation MCI has manufactured for sale or lease in the United States between model years 1992 and 2013. For each vehicle provide the following:

- a. VIN;
- b. Model;
- c. Model Year;
- d. Engine;
- e. Transmission;
- f. Length of related driveshaft;
- g. Date of vehicle manufacture;
- h. Date warranty coverage commenced;
- i. The purchaser (company name); and
- j. The part number of related driveshaft.

6. State, by model, model year, engine and transmission, a total count for all of the following categories of claims, collectively, that have been paid by MCI to date that relate to, or may relate to, the alleged defect or alleged failure mode of PE12-007 in the vehicles identified in request no 3 below or no 5 above: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

At a minimum please consider any claim that involves the combination of a driveshaft and/or driveshaft universal joint and any other subject component from this investigation to be related to the alleged defect or alleged failure mode.

Separately, for each such claim, state the following information:

- a. MCI's claim number;
- b. VIN;
- c. Vehicle's owner or fleet name (and fleet contact person) and telephone number;
- d. Vehicle's model, and model year;
- e. Vehicle's transmission;
- f. Vehicle's engine;
- g. Vehicle's build date;
- h. Warranty start date;
- i. Incident date;
- j. Report date;
- k. Part numbers for each subject component involved;
- l. Vehicle's mileage at time of repair;
- m. Repairing facility's name, telephone number, and address;
- n. Labor operation number;
- o. Problem code;
- p. Replacement part number(s) and description(s);
- q. Concern stated by customer; and
- r. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in MS Access or a compatible format, entitled "WARRANTY DATA_SUBJECT_SUPP."

7. Describe in detail the search criteria used to identify the claims in response to Requests No 6 above.

8. Except where previously provided in relation to this investigation, state the number and provide copies of each of the following, received by MCI, which relate to, or may relate to, the alleged defect or alleged failure mode of PE12-007 in the vehicles identified in request no 3 below or no 5 above:

- a. Consumer / fleet complaints;
- b. Field reports;
- c. Reports involving a crash, injury, or fatality;
- d. Reports involving a fire;
- e. Property damage claims;
- f. Third-party arbitration proceedings where MCI is or was a party to the arbitration; and
- g. Lawsuits, both pending and closed, in which MCI is or was a defendant or codefendant.

State the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same unit are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer

complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint.

9. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 8 above, state the following information:

- a. VIN;
- b. Vehicle's owner or fleet name (and fleet contact person), address, and telephone number;
- c. Vehicle's model and model year;
- d. Vehicle's transmission;
- e. Vehicle's mileage at time of incident, if known;
- f. Part numbers for each subject component involved;
- g. Incident date;
- h. Report date;
- i. Date of manufacture;
- j. Date warranty coverage commenced;
- k. Concern stated by the customer; and
- l. MCI's assessment of the incident.

10. Please state how many retrofit kits were sold that would have changed the length of the powertrain driveshaft by kit number. In MS Excel or compatible format, entitled "PRODUCTION_DATA_KIT," state the vehicles that have received such retrofitting. For each vehicle provide the following:

- a. VIN;
- b. Model;
- c. Model Year;
- d. Engine;
- e. Transmission;
- f. Length of replacement driveshaft;
- g. The part number of replacement driveshaft;
- h. Retrofit kit number; and
- i. The purchaser (company name).

Except were previously supplied, provide a copy of the installation manual for each kit.

Ric Willard

202-713-7888

From: Tim.Nalepka@MCICoach.com [mailto:Tim.Nalepka@MCICoach.com]
Sent: Tuesday, June 12, 2012 3:51 PM
To: Willard, Richard (NHTSA)
Cc: York, Bruce (NHTSA)
Subject: MCI'S RESPONSE TO SUPPLEMENTAL REQUESTS FROM NHTSA RE PE12-007

Ric,

Per our discussion this afternoon, attached is the installation manual for the retrofit kit referenced in our response to #4 below.

We'll begin compiling the additional data we discussed this afternoon, although I understand you'll be sending a confirming email as soon as you are able to do so. Thanks.

Timothy J. Nalepka
Senior Vice President, General Counsel, and Secretary
Motor Coach Industries International, Inc.
1700 E. Golf Road, Suite 300

Schaumburg, Illinois 60173
Phone: (847) 285-2085
Direct Fax: (502) 318-8085
Dept. Fax: (847) 285-2095
tim.nalepka@mcicoach.com

----- Forwarded by Timothy J. Nalepka/Corporate/MotorCoach on 06/12/2012 02:42 PM -----

Timothy J. Nalepka/Corporate/MotorCoach

06/07/2012 05:44 PM

To Richard.Willard@dot.gov

cc Bruce.York@dot.gov

Subject MCI'S RESPONSE TO SUPPLEMENTAL REQUESTS FROM NHTSA RE PE12-007

Ric,

I have noted below MCI's responses to your supplemental requests. For the lists included in our responses to supplemental requests 2 and 3, I have omitted the purchaser information as MCI considers that to be confidential business information. Please advise if you need that information, and if so, if MCI has to submit same to the Office of Chief Counsel in order to preserve our claim of confidentiality.

Please advise if you would like to schedule another call to discuss this matter further. Thanks.

Timothy J. Nalepka
Senior Vice President, General Counsel, and Secretary
Motor Coach Industries International, Inc.
1700 E. Golf Road, Suite 300
Schaumburg, Illinois 60173
Phone: (847) 285-2085
Direct Fax: (502) 318-8085
Dept. Fax: (847) 285-2095
tim.nalepka@mcicoach.com

----- Forwarded by Timothy J. Nalepka/Corporate/MotorCoach on 06/06/2012 10:53 AM -----

<Richard.Willard@dot.gov>

05/24/2012 08:28 AM

To <Tim.Nalepka@MCICoach.com>

cc <Bruce.York@dot.gov>

Subject Follow up questions - PE12-007

Tim,

Along with Brian and Virgil, thank you for taking the time to talk with Bruce and me yesterday. As discussed, I am capturing the questions from our conversation in email. Please propose a response plan if you need longer than two weeks to reply to any part of this request. If production data (R3 below) can be made available sooner, please do not wait for the full response to provide it.

Email requests 1 and 2 below are regarding ODI's information request letter dated March 28, 2012 associated with PE12-007:

1. Explain why vehicles 1M8PDMRA9YP052799, 1M8PDMRA9YP053306, 1M8PDMRA7YP052865 and 1M8PDMRAXYP052682 are not included in MCI's response to information request no 1 (PRODUCTION_DATA_SUBJECT).

MCI's records indicate that these coaches had Allison B500 transmissions (please see the attached final vehicle records). Thus, these coaches were not within the scope of the definitions of "subject vehicles" or "peer vehicles" in the information request.

[attachment "52799 FVR.pdf" deleted by Timothy J. Nalepka/Corporate/MotorCoach] [attachment "53306 FVR.pdf" deleted by Timothy J. Nalepka/Corporate/MotorCoach] [attachment "52865 FVR.pdf" deleted by Timothy J. Nalepka/Corporate/MotorCoach] [attachment "52682 FVR.pdf" deleted by Timothy J. Nalepka/Corporate/MotorCoach]

2. Please explain why information requests no 4(m) through 4(r) were left blank in MCI's response and why there were no claims for vehicles newer than MY1995.

As to the first question, and with one exception, MCI does not currently have the data requested in requests 4(m) - (r). The available replacement part info. (column Q in the attached spreadsheet) appears to have been inadvertently omitted from MCI's 4/27/12 response.

[attachment "SUPP RESPONSE TO REQ 4 (REDACTED) 6_7_12.xlsx" deleted by Timothy J. Nalepka/Corporate/MotorCoach]

As to the second question, MCI has rechecked its data, and we have not found any more recent claims responsive to request 4. As noted in our 4/27/12 response, the data provided with respect to the older claims were likely over-inclusive in that there was and is insufficient data to determine whether, in fact, any of those reported claims were responsive to request 4.

Email requests 3 and 4 below are in addition to the March 28th information request:

3. In MS Excel or compatible format, entitled "PRODUCTION_DATA_ALL," state, by model, model year and transmission, how many vehicles originally equipped with steerable tag axles substantially similar to those of the subject vehicles MCI has manufactured for sale or lease in the United States between model years 1992 and 2013. For each vehicle provide the following:

- a. VIN;
- b. Model;
- c. Model Year;
- d. Engine;
- e. Transmission;
- f. Length of related driveshaft;
- g. Date of vehicle manufacture;
- h. Date warranty coverage commenced;
- i. The purchaser (company name); and
- j. The part number of related driveshaft.

Please see the attached response, which supplements MCI's prior production list by adding the relevant coaches that had an Allison HT741, HT746, or HT755 transmission.

[attachment "PRODUCTION_DATA_ALL (REDACTED RESPONSE TO SUPP REQ 3) 6_7_12.xlsx" deleted by Timothy J. Nalepka/Corporate/MotorCoach]

4. Does MCI provide a kit to allow for vehicles identified in request no 3 above to be retrofitted with ZF Asotronic or Allison 700 series transmission? If so, please state how many were sold by replacement transmission and provide a list of parts included. In MS

Excel or compatible format, entitled "PRODUCTION_DATA_KIT," state, by model, model year and transmission, the vehicles that have received such retrofitting. For each vehicle provide the following:

- a. VIN;
- b. Model;
- c. Model Year;
- d. Engine;
- e. Transmission;
- f. Length of replacement driveshaft;
- g. The part number of replacement driveshaft; and
- h. The purchaser (company name).

MCI did develop a kit for 102DL3/D4500 model coaches with Series 60 engines and Allison B500 transmissions, to convert the transmission to a ZF Astronic transmission. However, that kit was not applicable to any of the coaches in MCI's initial or supplemental production lists since none of those coaches had a B500 transmission as OE. As well, we have some limited data regarding certain customers who replaced a ZF transmission with a B500 transmission. Again, however, none of the coaches for which we have such data are the coaches in MCI's initial or supplemental production lists. Nonetheless, please advise if you would like the data that we do have.

Thank you,

Ric Willard

Safety Defects Engineer
Office of Defects Investigation
Medium & Heavy Duty Vehicle Division
NHTSA-DOT
1200 New Jersey Avenue, SE
Washington, DC 20590
202-366-6544
202-713-7888 BB