



OFFICE OF DEFECTS &  
INVESTIGATIONS  
2013 OCT 18 A 10:10

**Steven M. Kenner, Global Director**  
Automotive Safety Office  
Sustainability, Environment & Safety Engineering

**Fairlane Plaza South, Suite 400**  
330 Town Center Drive  
Dearborn, MI 48126-2738

October 14, 2013

Mr. Frank S. Borris, Director  
Office of Defects Investigation  
National Highway Traffic Safety Administration  
1200 New Jersey Avenue SE, Room W45-302  
Washington, DC 20590

Dear Mr. Borris:

Subject: PE13-003:NVS-213krh Update

The Ford Motor Company (Ford) response to the agency's September 6, 2013 request for an update of reports pertaining to PE13-003 is attached.

If you have any questions concerning this response, please feel free to contact me.

Sincerely,

  
Steven M. Kenner

Attachment

FORD MOTOR COMPANY (FORD) RESPONSE UPDATE TO PE13-003

Ford's response to this Preliminary Evaluation information request was prepared pursuant to a diligent search for the information requested. While we have employed our best efforts to provide responsive information, the breadth of the agency's request and the requirement that information be provided on an expedited basis make this a difficult task. We nevertheless have made substantial effort to provide thorough and accurate information, and we would be pleased to meet with agency personnel to discuss any aspect of this Preliminary Evaluation.

Ford notes that some of the information being produced pursuant to this inquiry may contain personal information such as customer names, addresses, telephone numbers, and complete Vehicle Identification Numbers (VINs). Ford is producing such personal information in an unredacted form to facilitate the agency's investigation with the understanding that the agency will not make such personal information available to the public under FOIA Exemption 6, 5 U.S.C. 552(b)(6).

In a September 6, 2013 telephone conversation, Mr. Jeff Quandt, of the agency, requested that Ford provide an update of reports (i.e. Requests 1, 2, 3, 4, and 5) pertaining to 2011 through 2013 MY Escape/Mariner and 2011 through 2012 MY Fusion/Milan vehicles for PE13-003.

Answers to your specific questions are set forth below. After each numeric designation, we have set forth verbatim the request for information, followed by our response. Unless otherwise stated, Ford has undertaken to provide responsive documents dated up to and including September 6, 2013, the date of this request.

Request 1

State, by model, engine and model year, the number of subject and peer vehicles Ford has manufactured for sale or lease in the United States and federalized territories. Separately, for each subject vehicle manufactured to date by Ford, state the following:

- a. Vehicle identification number (VIN);
- b. Model;
- c. Engine (displacement and engine code);
- d. Model Year;
- e. Date of manufacture; Date warranty coverage commenced; and
- f. The State in the United States, or the federalized territory, where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide the table in Microsoft Access 2003, 2007, or a compatible format, entitled "PE13\_003\_PRODUCTION DATA."

Answer

Ford records indicate that the approximate total number of 2012 through 2013 Ford Fusion and Fusion Hybrid vehicles sold in the United States, (the 50 states and the District of Columbia) protectorates, and territories (American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and Virgin Islands) is 594,874.

The number of subject vehicles sold in the United States by model and model year is shown below:

Model	Engine	2012 MY	2013 MY
Ford Fusion	2.5L 4V I-4 Duratec	226,113	89,071
	3.0L 4V V-6 Duratec	62,534	
	3.5L 4V V-6 Duratec	6,682	
	1.6L EcoBoost I-4		76,750
	2.0L EcoBoost I-4		42,111
Ford Fusion Hybrid	2.5L 4V I-4 Atkinson	12,443	
	2.0L 4V I-4 Atkinson		34,170

Ford records indicate that the approximate total number of 2011 through 2013 Ford Escape and Escape Hybrid vehicles sold in the United States, (the 50 states and the District of Columbia) protectorates, and territories (American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and Virgin Islands) is 749,196.

The number of subject vehicles sold in the United States by model and model year is shown below:

Model	Engine	2011 MY	2012 MY	2013 MY
Ford Escape	2.5L 4V I-4 Duratec	96,791	121,127	30,251
	3.0L 4V V-6 Duratec	101,897	111,657	
	1.6L EcoBoost I-4			136,344
	2.0L EcoBoost I-4			137,196
Ford Escape Hybrid	2.5L 4V I-4 Atkinson	8,431	5,502	

Ford records indicate that the approximate total number of peer vehicles sold in the United States, (the 50 states and the District of Columbia) protectorates, and territories (American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and Virgin Islands) is 14,995.

The number of peer vehicles sold in the United States by model and model year are shown below:

Model	Engine	2011 MY
Mercury Milan	2.5L 4V I-4 Duratec	2,820
	3.0L 4V V-6 Duratec	3,260
Mercury Milan Hybrid	2.5L 4V I-4 Atkinson	213
Mercury Mariner	2.5L 4V I-4 Duratec	2,903
	3.0L 4V V-6 Duratec	5,677
Mercury Mariner Hybrid	2.5L 4V I-4 Atkinson	82



Engine codes for subject and peer vehicles are provided below:

Model	Engine	Code
Ford Escape Mercury Mariner	2.5L 4V I-4 Duratec	7
	3.0L 4V V-6 Duratec	G
	1.6L EcoBoost I-4	X
	2.0L EcoBoost I-4	9
Ford Escape Hybrid Mercury Mariner Hybrid	2.5L 4V I-4 Atkinson	3
Ford Fusion	2.5L 4V I-4 Duratec	A
	3.0L 4V V-6 Duratec	G
	3.5L 4V V-6 Duratec	C
	1.6L EcoBoost I-4	R
	2.0L EcoBoost I-4	9
Ford Fusion Hybrid Mercury Milan Hybrid	2.5L 4V I-4 Atkinson	3
Ford Fusion Hybrid	2.0L 4V I-4 Atkinson	U

The requested data for each subject and peer vehicle is provided in Appendix A.

## Request 2

State, by model, engine and model year, the number of each of the following, received by Ford, or of which Ford is otherwise aware, which relate to, or may relate to, the alleged defect in the subject and peer vehicles:

- Consumer complaints, including those from fleet operators;
- Field reports, including dealer field reports;
- Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
- Property damage claims;
- Third-party arbitration proceedings where Ford is or was a party to the arbitration; and
- Lawsuits, both pending and closed, in which Ford is or was a defendant or codefendant.

For subparts "a" through "d," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle 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).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and Ford's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "e" and "f,"

identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

### Answer

For purposes of identifying reports of incidents that may be related to the alleged defect and any related documents, Ford has gathered "owner reports" and "field reports" maintained by Ford Customer Service Division (FCSD), and claim and lawsuit information maintained by Ford's Office of the General Counsel (OGC).

Descriptions of the FCSD owner and field report systems and the criteria used to search each of these are provided in Appendix B.

The following categorizations were used in the review of reports located in each of these searches:

Category	Allegation
A1	Engine Stall - Throttle Body Replaced
A2	Reduced Power - Throttle Body Replaced
A3	Drivability Issue - Throttle Body Replaced
A4	Check Engine Light - Throttle Body Replaced
A5	Unknown Symptom - Throttle Body Replaced
A6	Throttle Body Replaced Under TSB 10-21-6
A7	Throttle Body Replaced Under TSB 09-23-5 (Ford Fusion Only)
B1	Engine Stall - Throttle Body & Another Component Replaced
B2	Reduced Power - Throttle Body & Another Component Replaced
B3	Drivability Issue - Throttle Body & Another Component Replaced
B4	Check Engine Light - Throttle Body & Another Component Replaced
C1	Engine Stall - Ambiguous or Unknown Cause
C2	Reduced Power - Ambiguous or Unknown Cause
C3	Drivability Issue - Ambiguous or Unknown Cause

We are providing electronic copies of reports categorized as "C" as "non-specific allegations" for your review because of the broad scope of the request. Based on our engineering judgment, the information in these reports is insufficient to support a determination that they pertain to the alleged defect.

Owner Reports: Records identified in a search of the FMC360 database, as described in Appendix B, were reviewed for relevance and sorted in accordance with the categories described above. The number and copies of relevant owner reports identified in this search that allege engine stall, loss of power, or throttle malfunction related to TSB 10-21-6 or TSB 09-23-5 in a subject or peer vehicle are provided in the FMC360 portion of the database contained in Appendix C. The categorization of each report is identified in the "Category" field.

When we were able to identify that responsive (i.e., not ambiguous) duplicate owner reports for an alleged incident were received, each duplicate report was marked accordingly, and the group counted as one report. In other cases, certain vehicles may have experienced more than one incident and have more than one report associated with their VINs. These reports have been counted separately.



Legal Contacts: Ford is providing, in Appendix B, a description of Legal Contacts and the activity that is responsible for this information. To the extent that responsive (i.e., not ambiguous) owner reports indicate that they are Legal Contacts, Ford has gathered the related files from the Office of General Counsel (OGC). Non-privileged documents for files that were located that are related to the responsive owner reports are provided in Appendix D.

Field Reports: Records identified in a search of the Common Quality Indicator System (CQIS) database, as described in Appendix B, were reviewed for relevance and sorted in accordance with the categories described above. The number and copies of relevant field reports identified in this search that allege engine stall, loss of power, or throttle malfunction related to TSB 10-21-6 or TSB 09-23-5 in a subject or peer vehicle are provided in the CQIS portion of the database contained in Appendix C. The categorization of each report is identified in the "Category" field.

When we were able to identify that responsive duplicate field reports for an alleged incident were received, each duplicate report was marked accordingly, and the group counted as one report. In other cases, certain vehicles may have experienced more than one incident and have more than one report associated with their VINs. These reports have been counted separately. In addition, field reports that are duplicative of owner reports are provided in Appendix C but are not included in the field report count.

Crash/Injury Incident Claims: For purposes of identifying allegations of accidents or injuries that may have resulted from the alleged defect, Ford has reviewed responsive owner and field reports, and lawsuits and claims. A chart identifying potentially relevant allegations is being provided in Appendix E. Copies of reports corresponding to these alleged incidents are provided in the FMC360, CQIS, and Analytical Warranty System (AWS) portions of the database provided in Appendix C.

Claims, Lawsuits, and Arbitrations: For purposes of identifying incidents that may relate to the alleged defect in a subject vehicle, Ford has gathered claim and lawsuit information maintained by Ford's OGC. Ford's OGC is responsible for handling product liability lawsuits, claims, and consumer breach of warranty lawsuits and arbitrations against the Company.

Lawsuits and claims gathered in this manner were reviewed for relevance and sorted in accordance with the categories described above. Ford has also located other lawsuits, claims, or consumer breach of warranty lawsuits, each of which is ambiguous as to whether it meets the alleged defect criteria. We have included these lawsuits and claims as "non-specific allegations" for your review because of the broad scope of the request. Based on our engineering judgment, the information in these lawsuits and claims is insufficient to support a determination that they pertain to the alleged defect.

We are providing the requested detailed information, where available, on the responsive and ambiguous lawsuits and claims in our Log of Lawsuits and Claims, provided in Appendix C in the Legal Claim/Lawsuits tab. The number of relevant lawsuits and claims identified is also provided in this log. To the extent available, copies of complaints, first notices, or FMC360 reports relating to matters shown on the log are provided in Appendix F. With regard to these lawsuits and claims, Ford has not undertaken to contact outside law firms to obtain additional documentation. Ford notes that it was unable to locate two claim files and, therefore, is unable to determine if the cases are related to the alleged defect.

Request 3

Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 3, state the following information:

- a. Ford's file number or other identifier used;
- b. The category of the item, as identified in Request No. 3 (i.e., consumer complaint, field report, etc.);
- c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
- d. Vehicle's VIN;
- e. Vehicle's make, model and model year;
- f. Vehicle's mileage at time of incident;
- g. Incident date;
- h. Report or claim date;
- i. Whether a crash is alleged;
- j. Whether smoke is alleged;
- k. Whether property damage is alleged;
- l. Number of alleged injuries, if any; and
- m. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2003 or 2007, or a compatible format, entitled "PE13\_003\_REQUESTNUMBER THREE DATA."

Answer

Ford is providing owner and field reports in the database contained in Appendix C in response to Request 2. To the extent information sought in Request 3 is available for owner and field reports, it is provided in the database. To the extent information sought in Request 3 is available for lawsuits and claims, it is provided in the Log of Lawsuits and Claims provided in Appendix C in the Legal Claim/Lawsuits tab.

Request 4

Produce electronic copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Ford used for organizing the documents.

Answer

Ford is providing owner and field reports in the database contained in Appendix C in response to Request 2. Copies of complaints, first notices, or FMC360 reports relating to matters shown on the Log of Lawsuits and Claims provided in Appendix C in the Legal Claim/Lawsuits tab are provided in Appendix F. To the extent information sought in Request 4 is available, it is provided in the referenced appendices.



Request 5

State, by model, engine and model year, total counts for all of the following categories of claims, collectively, that have been paid by Ford to date that relate to, or may relate to, the alleged defect in the subject and peer vehicles: 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.

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

- a. Ford's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Repair date;
- e. Whether a claim for towing was made within five days of the claim date;
- f. Vehicle mileage at time of repair;
- g. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- h. Labor operation number and description;
- i. Problem code and description;
- j. Replacement part number(s) and description(s);
- k. Concern stated by customer;
- l. Cause and correction stated by dealer/technician; and
- m. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2003 or 2007, or a compatible format, entitled "PE13\_003\_WARRANTY DATA."

Describe in detail the search criteria used by Ford to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by Ford on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered).

Answer

Records identified in a search of the AWS database, as described in Appendix B, were reviewed for relevance and sorted in accordance with the categories described in the response to Request 2. The number and copies of relevant warranty claims identified in this search that allege engine stall, loss of power, or throttle malfunction related to TSB 10-21-6 or TSB 09-23-5 in a subject or peer vehicle are provided in the AWS portion of the database contained in Appendix C. The categorization of each report is identified in the "Category" field.

When we were able to identify that duplicate claims for an alleged incident were received, each duplicate claim was marked accordingly and the group counted as one report. In other



cases, certain vehicles may have experienced more than one incident and have more than one claim associated with their VINs. These claims have been counted separately. Warranty claims that are duplicative of owner and field reports are provided in Appendix C but are not included in the report count above.

Requests for "goodwill, field, or zone adjustments" received by Ford to date that relate to the alleged defect that were not honored, if any, would be included in the FMC360 reports identified above in response to Request 2. Such claims that were honored are included in the warranty data provided. Ford assumes that providing the warranty claims in the electronic database format meets the requirements of this request because the agency can review or order the claims as desired.

Additionally, the agency has requested information related to claims for vehicle towing within three days of the subject component repair claim. Ford provides roadside assistance as part of the new vehicle limited warranty and certain optional extended service plans. The roadside assistance program is administered by an outside supplier and Ford does not have access to claims made for vehicle towing through this service. Recently, Ford has begun importing roadside assistance claims into its FMC360 database. However, the claims do not indicate what type of assistance was required, only that assistance was requested. The customer and technician comments provided with warranty claims provide the best source of information regarding possible incident-related vehicle towing.

# # #