

Mr. Scott Yon
Reference: DP17-002
May 8, 2017

ATTACHMENT

Page 1 of 4

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

Preliminary Statement

On April 30, 2009, Chrysler LLC, the entity that manufactured and sold the certain vehicles that may be discussed in this Information Request, filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Bankruptcy Code.

On June 10, 2009, Chrysler LLC sold substantially all of its assets to a newly formed company later known as Chrysler Group LLC. Pursuant to the sales transaction, Chrysler Group LLC assumed responsibility for safety recalls pursuant to the 49 U.S.C. Chapter 301 for vehicles that were manufactured and sold by Chrysler LLC prior to the June 10, 2009, asset sale.

On June 11, 2009, Chrysler LLC changed its name to Old Carco LLC. The assets of Old Carco LLC that were not purchased by Chrysler Group LLC, as well as the liabilities of Old Carco that were not assumed, remain under the jurisdiction of the United States Bankruptcy Court – Southern District of New York (In re Old Carco LLC, et al., Case No. 09-50002).

Effective December 15, 2014, Chrysler Group LLC changed its name to FCA US LLC ("FCA US").

Note: Unless indicated otherwise in the response to a question, this document contains information up to April 24, 2017, the date this information request was received.

1. **State the number of subject vehicles with fuel systems manufactured, in whole or in part, by FCA:**
 - a. **Vehicle identification number (VIN);**
 - b. **Date of manufacture; and,**
 - c. **Date warranty coverage commenced.**

Provide the table in Microsoft Access 2010, or a compatible format, entitled "PRODUCTION DATA."

A1. The subparts (a) through (c) are located in ENCLOSURE 01 and titled DP17_002_PRODUCTION DATA.accdb.

2. **State the number of each of the following, received by FCA, or of which FCA is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:**
 - a. **Consumer complaints, including those from fleet operators;**
 - b. **Field reports, including dealer field reports;**
 - c. **Reports involving a fire;**
 - d. **Property damage claims;**
 - e. **Third-party arbitration proceedings where FCA is or was a party to the arbitration; and**
 - f. **Lawsuits, both pending and closed, in which FCA is or was a defendant or codefendant.**

For subparts "a" through "f," 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 "a" through "f," provide a summary description of the alleged problem and causal and contributing factors and FCA'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.

- A2. FCA US has conducted a reasonable and diligent search of the normal repositories of such information. FCA US has identified zero reports which relate to, or may relate to, the alleged defect in the subject vehicles.
- a. FCA US identified zero consumer complaints (Customer Assistance Inquiry Record ("CAIR") and Customer Promoter Score ("CPS")) which relate to, or may relate to, the alleged defect in the subject vehicles.
 - b. FCA US identified zero field reports which relate to, or may relate to, the alleged defect in the subject vehicles.
 - c. FCA US identified zero records involving a fire which relate to, or may relate to, the alleged defect in the subject vehicles.

- d. FCA US identified zero records of property damage claims which relate to, or may relate to the alleged defect in the subject vehicles.
- e. FCA US identified zero records of third-party arbitration proceedings where FCA is or was a party to the arbitration which relates to, or may relate to the alleged defect in the subject vehicles.
- f. FCA US identified zero legal claims, both pending and closed, in which FCA is or was a defendant or codefendant that relate to, or may relate to the alleged defect in the subject vehicles.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:

- a. FCA's file number or other identifier used;
- b. The category of the item, as identified in Request No.2 (i.e., consumer complaint, field report, etc.);
- c. Vehicle owner or fleet name (and fleet contact person), street address, email 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 fire is alleged;
- j. Whether property damage is alleged;
- k. Number of alleged injuries, if any; and
- l. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

A3. FCA US has identified zero records which relate to, or may relate to, the alleged defect in the subject vehicles, therefore FCA US has no information or documents responsive to Q3.

4. Produce 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 FCA used for organizing the documents. Describe in detail the search methods and search criteria used by FCA to identify the items in response to Request No.2.

A4. FCA US has identified zero records which relate to, or may relate to, the alleged defect in the subject vehicles, therefore FCA US has no documents responsive to Q4.

5. Furnish FCA US' assessment of the alleged defect in the incident vehicle, including:

- a. The causal or contributory factor(s);**
- b. The failure mechanism(s);**
- c. The failure mode(s);**
- d. The risk to motor vehicle safety that it poses;**
- e. What warnings, if any, the operator would have that the alleged defect was occurring or subject component was malfunctioning; and,**
- f. The complaints referenced in this information request letter.**

A5. FCA US' analysis and review of complaints, field reports, legal claims found zero records which relate to, or may relate to, the alleged defect in the subject vehicles. FCA US' analysis and review of the 36 Vehicle Owner Questionnaires ("VOQ") referenced in DP17-002 found zero which relate to, or may relate to, the alleged defect in the subject vehicles.

NHTSA recently denied a Defect Petition (DP14-002) for a condition identical to the condition underlying the alleged defect in this Defect Petition (Denial of Motor Vehicle Defect Petition, DP14-002, 80 Fed. Reg. 18,935 (April 8, 2015)). As FCA US concluded in its response to that Defect Petition:

The failure mechanism is a result of a swollen refueling float within the multifunction control valve. Studies have proven that elevated ethanol additives cause the float and housing to swell, which, in turn, causes the float to intermittently stick. Once stuck, a limited amount of fuel will pass beyond the refuel float and enter the vapor recovery system before the fill pressure threshold is reached and shuts the fuel nozzle off.

Once fuel has entered the vapor recovery system, it can then be purged into the engine's intake system in place of anticipated vapor within the first minute of starting the engine. The result of fuel rather than vapor entering in the engine intake system will cause the engine to stumble or, when the vehicle is not in motion and/or the engine at idle, a stall can occur. The condition is often contained to a momentary engine stumble as the purge event is immediately turned off when a rich fuel condition is detected by the Powertrain Control Module.

In an affected vehicle, several symptomatic telltales are provided to the driver almost immediately after refueling. These symptoms may include, but are not limited to, an engine stumble, rough idle while driving at low speed or a stall at idle or stop.

In over 10 years of service with 29,573 vehicles sold and over 4 billion vehicle miles driven, there have been no reported accidents or property damage. FCA US believes that, predicated upon these findings, there is no unreasonable risk to motor safety and the petition for NHTSA to open a formal defect investigation should be denied.