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May 24, 2018

Mr. Jonathan Morrison
Chief Counsel
National Highway Traffic Safety Administration
(NCC-111), Room W41-227
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590

**RE: Request for Confidentiality Concerning Daimler Vans USA, LLC's Submission
Regarding Preliminary Evaluation PE18-002**

Dear Mr. Morrison:

This letter requests confidential treatment under 49 C.F.R. Part 512 for the materials submitted by Daimler Vans USA, LLC ("DVUSA") to the National Highway Traffic Safety Administration ("NHTSA") concerning Preliminary Evaluation PE18-002.

Pursuant to 49 C.F.R. Part 512, this request attaches two complete, unredacted versions of the DVUSA submission, and a redacted version of the submission. The submission is marked "CONFIDENTIAL BUSINESS INFORMATION" and confidential material is enclosed in brackets in accordance with 49 C.F.R. § 512.6(b).

The DVUSA response includes confidential information in the responses to Requests 9, 10, 12, 15, and 16, and in Attachments 9 and 10. Specifically, responses to Requests 9, 10 and 12, and Attachment 9, contain component specifications and supplier information. The responses to Requests 15 and 16 contain DVUSA's internal analyses and testing of its products. These specifications and performance, assessment, and supplier information are highly confidential to DVUSA, and reveal facts that would not otherwise be available to competitors. The material therefore is entitled to confidential treatment under 49 C.F.R. § 512.15(b).

Additionally, Attachment 10 contains component part depictions and performance information that is highly confidential and would not otherwise be available to competitors without reverse engineering. Blueprints and engineering drawings are subject to a class determination under 49 C.F.R. Part 512, Appendix B(1). The material in Attachment 10 therefore is entitled to confidential treatment under 49 C.F.R. § 512.15(b).

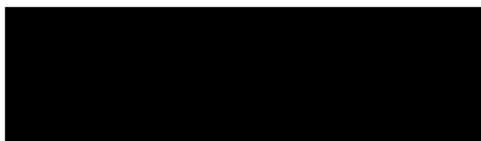
The materials described above are also entitled to confidential treatment under *National Parks and Conservation Association v. Morton*, 498 F.2d 765 (D.C. Cir. 1974), because they are confidential commercial information, the release of which is likely to cause competitive harm. The *National Parks* basis for confidential treatment has been incorporated into the Agency's regulations at 49 C.F.R. § 512.3(c)(2)(i) (confidential commercial information). The information includes important information about internal evaluations and product assessments, as well as confidential component specification and supplier information. As such, these materials represent proprietary and confidential business information, the release of which would cause substantial competitive harm to the company. Competitors could gain a competitive advantage by gaining access to information that would not otherwise be available. Release of the information would disclose important internal engineering and analytical information and potential product issues that competitors could exploit. Because of the substantial competitive harm that would be caused, the Agency should protect the confidentiality of this information. Accordingly this information should be granted confidential treatment under the criteria at 49 C.F.R. § 512.15(b).

DVUSA has taken measures to ensure that the information has not been publicly disclosed or otherwise made available to any persons outside of the company, its parents, suppliers, and affiliates. Insofar as is known by DVUSA, this information is not known outside of the company, except by these related parties. The information has also been disclosed as necessary for the purpose of obtaining advice and assistance from counsel and other confidential advisers. Such disclosures do not compromise the confidential nature of the information because of the close business relationship between DVUSA and its parents and affiliates, nor does selective disclosure to advisers bound by obligations of confidentiality compromise such confidentiality.

We request that confidentiality be granted indefinitely for the material contained in responses to Requests 9, 10, 12, 15, and 16, and in Attachments 9 and 10 submitted pursuant to the PE18-002 information request, or until such time as the information is no longer held confidential by the company. We would appreciate your notifying us of your decision regarding this confidentiality request.

Thank you for your consideration of this request. Please forward your response to this request to my attention.

Sincerely,

A large black rectangular redaction box covering the signature area.

R. Latane Montague

Attachments:

- Two complete versions of DVUSA submission
- One redacted version of DVUSA submission
- Certificate in Support of Request for Confidentiality