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August 29, 2018

Mr. Jonathan C. Morrison Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Ave, SE
Washington, DC 20590

Re: Request for Confidential Treatment for Information Submitted Under DP-18-001

Dear Mr. Morrison,

On behalf of Isuzu Motors Limited ("Isuzu Motors"), Isuzu Technical Center of America, Inc., (collectively "Isuzu"), submits this request for Confidential Treatment for certain information submitted in response to the Information Request in DP-18-001. After careful review, Isuzu has concluded that portions of the submission are competitively sensitive and should be withheld from public disclosure under 49 C.F.R. Part 512 and Exemptions 4 and 6 of the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552(b)(4) and (6).

Specifically Isuzu seeks confidential treatment for the following: (1) Enclosures 2, 3 and 4, which reflect Isuzu's detailed analysis of particular allegations and which reveals Isuzu's internal processes with regard to a critical business function, (2) Enclosure No. 8, which contains testing, analysis and evaluations conducted with regard to this investigation, (3) Enclosure No. 9, which shows detailed production and parts change information, (4) Enclosure No. 10, which shows information regarding the source and sales of Isuzu's parts.

The information for which Isuzu claims confidential treatment is entitled to protection under the test announced in *National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974), because disclosure of the information would likely cause competitive harm to Isuzu. These materials reveal significant information about how Isuzu developed its design and the factors that Isuzu takes into account in engineering for the light cargo van and larger truck markets. Disclosure of Isuzu's internal analyses would allow competitors to gain insight into those decisions, and how those decisions were met in the marketplace. Competitors would be able to gain valuable competitive insight into Isuzu's techniques and its evaluative process and to avoid the need to reverse engineer or to conduct their own analyses. As such this information is entitled to protection under Exemption 4.

Additionally, Enclosure Nos. 3 and 4, contain personal identifying information specifying Isuzu's owner base and their contact information. Revealing such information would violate the protections afforded by FOIA Exemption 6 and place the privacy of these persons at risk.

In some instances, entire documents consist of confidential material. In other instances, the confidential material is so intertwined with the rest of the document that redaction would be impracticable. As a result, Isuzu has withheld the relevant documents from the public set rather than attempting to redact them.

If you have any questions or require additional information, please contact me at [REDACTED]
or Scott Crafard of my staff at [REDACTED]

Sincerely,

[REDACTED]
Jeffery A. Marsee
Chief Representative
Emissions and Safety
Isuzu Technical Center of America, Inc.

Enclosures

DVD with complete submission marked as Confidential
DVD with public submission excluding confidential documents
Certificate in Support of Request for Confidentiality

Certificate in Support of Request for Confidentiality

I, Jeffery A. Marsee, pursuant to the provisions of 49 C.F.R. part 512, state as follows:

1. I am Jeffery A. Marsee, and I am the Chief Representative, Emissions and Safety, and am authorized by Isuzu Motors Limited ("Isuzu Motors") and Isuzu Technical Center of America, Inc., (collectively "Isuzu") to execute this Certificate on its behalf;

2. I certify that the information contained in the enclosed attachments is confidential and proprietary data, in the form of confidential business information, and is being submitted with the claim that it is entitled to confidential treatment under 5 U.S.C. §§ 552(b)(4) and (6) (as incorporated by reference in and modified by 49 CFR Part 512);

3. I hereby request that the information contained in the enclosed documents be protected permanently or until such time as the information is no longer held confidential by the company;

4. This certification is based on the information provided by the responsible Isuzu personnel who have authority in the normal course of business to release the information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside Isuzu;

5. Based upon that information, to the best of my knowledge, information and belief, the information for which Isuzu has claimed confidential treatment has never been released or become available outside Isuzu;

6. I make no representations beyond those contained in this Certificate and, in particular, I make no representations as to whether this information may become available outside Isuzu because of unauthorized or inadvertent disclosure, except as noted in paragraph 5 above; and

I certify under penalty of perjury that the foregoing is true and correct. Executed on this 29th day of August 2018.

A large black rectangular redaction box covering the signature area.

Jeffery A. Marsee