



VIA EMAIL

Ann Carlson
Chief Counsel, Office of the Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE
Washington, D.C. 20590

Re: Request for Confidential Treatment of Voluntary Submission

Dear Ms. Carlson,

ZF TRW submits this request for confidential treatment of information contained in the attached submission. ZF TRW seeks confidential treatment for the entire contents of the attached documents as competitively sensitive and requests that the information be withheld from public disclosure under 49 C.F.R. Part 512 and Exemption 4 of the Freedom of Information Act (FOIA), 5 U.S.C. § 552(b)(4).

ZF TRW voluntarily submits the attached materials at NHTSA's request. The materials contain confidential commercial information specifying ZF TRW's customers, associated vehicle platforms for specifically identified components, and engineering analyses concerning ZF TRW and its customers' crash testing, field returns, and field incidents. ZF TRW does not customarily release this information to the public, as it reveals competitive and commercially sensitive information. *Critical Mass Energy Project v. NRC, et al.*, 975 F.2d 871, 879 (D.C. Cir. 1992). Protection of this information will further promote cooperation between NHTSA and industry, particularly suppliers, to quickly scope potential safety risks. *See id.* For these reasons, ZF TRW requests confidential treatment of the information for an indefinite period of time.

Sincerely,

/s/ *Scott B. Paxton*

Scott B. Paxton
ZF Group, Legal Regulatory Counsel

Enclosures: 1 copy of complete submission marked confidential
1 copy of complete submission with public redactions applied

CERTIFICATE IN SUPPORT OF REQUEST FOR CONFIDENTIALITY

I, Emanuel Goodman, pursuant to the provisions of 49 CFR part 512, state as follows:

1. I am the Senior Technical Specialist for ZF Active Safety and Electronics US LLC ("ZF") and am authorized to execute this certificate on its behalf;
2. I certify that the enclosed information regarding field returns, product and vehicle testing, and crash incidents involving vehicles equipped with ZF ACUs, and analyses thereof, is confidential and proprietary information and is being submitted with the claim that such information is entitled to confidential treatment under 5 U.S.C. § 552(b)(4) (as incorporated by reference in and modified by statute under which the information is being submitted);
3. I hereby request that the information contained in the enclosed responses to NHTSA's May 3, 2022 Information Request be protected on a permanent basis;
4. This certification is based on the information provided by the responsible ZF 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 ZF;
5. Based upon that information, to the best of my knowledge, information and belief, the information for which ZF has claimed confidential treatment has never been released or become available outside ZF, except to its confidential advisors and affiliate companies and except to the extent that portions of the information are shared with customers or the applicable component supplier under circumstances that the shared information is retained as confidential by them; 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 of the company because of unauthorized or inadvertent disclosure; and
6. I certify under penalty of perjury that the foregoing is true and correct under the laws of the United States of America.

Executed on this 30th day of June, 2022.

ZF Active Safety and Electronics US LLC


Emanuel Goodman