



July 3, 2021

VIA SECURE LINK PROVIDED BY KEVIN MILLER

Daniel Rabinovitz
Trial Attorney
Office of Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

RE: PE21-010, Autoliv Request for Confidential Treatment

Dear Mr. Rabinovitz,

Autoliv ASP, Inc. ("Autoliv") is submitting electronic copies of Autoliv's response to the National Highway Traffic Safety Administration ("NHTSA") Office of Defects Investigations ("ODI") Information Request issued on May 7, 2021 in connection with the above referenced investigation. Autoliv has determined that the information is confidential and should be accorded confidential treatment under this agency's regulations at 49 CFR Part 512 and Exemption 4 of the Freedom of Information Act ("FOIA"), 5 USC §552(b)(4). Therefore, Autoliv is sending the attached documents, together with this request for confidential treatment and Certificate in Support of Request for Confidentiality, via the secure link provided by Mr. Kevin Miller.

In submitting this Request, in order to facilitate the swift and efficient flow of updated information, we intend to rely on this Request (and the accompanying information and Certificate) to apply to all subsequent updates and amendments relating to this matter. I understand that this approach should be acceptable for all such future submissions, however if my understanding is inaccurate or incorrect in any way, please contact me.

A. Description of the Information; 49 CFR §512.8(a)

Autoliv requests confidentiality for all documents and files contained in the folder entitled: "PE21-010 CONF AUTOLIV" (the "Confidential Documents").

B. Confidentiality Standard; 49 CFR §512.8(b)

The information may be afforded confidential treatment pursuant to 49 CFR §512.15(a) and/or 49 CFR §512.15(b).

C. Justification for Confidential Treatment; 49 CFR §512.8(c)

(a) Certain information in the Confidential Documents discuss Autoliv product design, manufacturing and test procedures for certain Autoliv inflators and airbag modules. This information is Autoliv trade secret and/or proprietary information.

(b) Part 512 and FOIA exemption 4 protect the confidentiality of information that would likely cause substantial competitive harm to the submitter if disclosed. "Because competition in business turns on the relative costs and opportunities faced by members of the same industry, there is a potential windfall for competitors to who valuable information is released under FOIA." *Worthington Compressors, Inc. v. Costle*, 662 F.2d 45, 51 (D.C. Cir 1981); *see also Public Citizen Health Research Grp. v. FDA*, 185 F.3d 898, 905 (D.C. Cir 1999). The Confidential Documents would, if disclosed, reveal competitively valuable information regarding product design and manufacturing techniques, tests, design, performance, and production data.

Disclosure of Autoliv trade secret or proprietary information, as described in Part C(a) above, would cause significant competitive harm by disclosing Autoliv's confidential, proprietary and confidential information on how Autoliv designs, manufactures or tests its products to its competitors. This information is not otherwise available to Autoliv competitors and if portions of such information are shared with customers, it is done so only with an expectation of confidentiality. To the extent there is non-exempt information on certain pages of the Confidential

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Documents, such information is so inextricably intertwined with exempt information that segregation of any such non-exempt information is impractical.

The production, warranty and customer information would also cause competitive harm to Autoliv because it would disclose not only confidential Autoliv information, but also disclose Autoliv comments and analysis of such information which was provided to assist NHTSA but could be used against Autoliv by its competitors.

D. Class Determination; 49 CFR §512.8(d)

The Confidential Documents may contain information subject to the class determinations in Appendix B.

E. Duration for which Confidential Treatment is Sought; 49 CFR §512.8(e)

Autoliv requests that NHTSA permanently treat the Confidential Documents as confidential.

F. Contact Information; 49 CFR §512.8(f)

Please direct all inquiries to the undersigned at:

1320 Pacific Drive
Auburn Hills, Michigan 48326
248.276.0713
Maryann.Perttunen@autoliv.com

Kind Regards,



Vice President Legal

Encl. Certificate in Support

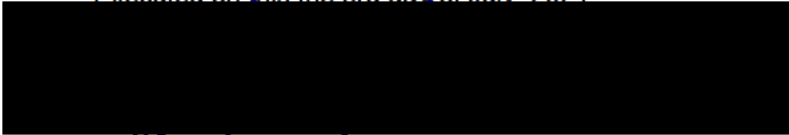
cc: Tanya Topka, Chief Vehicle Defect Division A, National Highway Traffic Safety Administration
Kevin Miller, Office of Defects Investigation, National Highway Traffic Safety Administration

Certificate in Support of Request for Confidentiality

I, MARYANN PIERCE PERTTUNEN, pursuant to the provisions of 49 CFR Part 512, state as follows:

1. I am employed as Vice President Legal at Autoliv ASP, Inc. ("Autoliv") and I am authorized by Autoliv to execute this certificate on its behalf.
2. I certify that the documents and files contained in the folder entitled "PE21-010 CONF AUTOLIV" (the "Confidential Documents"), are confidential and proprietary data and is being submitted with the claim that it is entitled to confidential treatment under 5 USC §552(b)(4), in connection with the submission of Autoliv's response to the National Highway Traffic Safety Administration ("NHTSA") May 7, 2021 Information Request in connection with PE21-010.
3. I hereby request that the information contained in the Confidential Documents be protected for an indefinite period of time.
4. This certification is based on the information provided by the responsible Autoliv 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 Autoliv.
5. Based upon that information, to the best of my knowledge, information and belief, the information for which Autoliv has claimed confidential treatment has never been released or become available outside Autoliv except with an expectation of confidentiality.
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 Autoliv because of unauthorized or inadvertent disclosure (except as stated in paragraph 5).
7. I certify under penalty of perjury that the foregoing is true and correct.

Executed on this the 3rd day of July, 2021


MARYANN PIERCE PERTTUNEN