



U.S. Department of Transportation
**National Highway Traffic Safety
Administration**



March 2, 2026

Ms. Cornelia Feneberg
Director Warranty & Product Safety
Webasto Group
North America Headquarters
Webasto Thermo & Comfort NA, INC
2500 Executive Blvd
Auburn Hills, MI 48326

Subject: Information Request ID AQ24004-02

Dear Ms. Cornelia Feneberg,

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Audit Query (AQ24004) to investigate allegations of High Voltage Coolant Heaters may fail to defrost windshield in certain model year (MY) High Voltage Coolant Heaters (HVCH) vehicles manufactured by Webasto Thermo & Comfort NA, INC (Webasto Thermo), and to request certain information.

Unless otherwise stated in the text, the following definitions apply to these information requests:

- **Webasto:** Webasto AG and/or Webasto Thermo & Comfort SE (Webasto), all of its past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Webasto (including all business units and persons previously referred to), who are or were involved in any way with any of the following related to the alleged defect in the subject equipment:
 1. Design, engineering, analysis, modification or production (e.g. quality control);
 2. Testing, assessment or evaluation;
 3. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, lawsuits or arbitrations; or

4. Communication to, from or intended for OEMs, purchasers, zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.
- **Document**: “Document(s)” is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by Webasto, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, “document(s)” also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film, or photograph originally produced in color must be provided in color. Furnish all documents whether verified by Webasto or not. If a document is not in the English language, provide both the original document and an English translation of the document.
 - **Communications**: The term "communications" is used in the broadest sense of the word and shall mean the exchange, transfer, or relay of any ideas, messages, or information by writing, or other means, whether electronic or paper.
 - **Person**: The term "person" includes natural persons, proprietorships, partnerships, firms, corporations, federal, state, and local governments, all departments and agencies thereof, and any other governmental agencies, political subdivisions, groups, associations, or organizations, whether located in the United States or abroad.
 - **Other Terms**: To the extent that they are used in these information requests, the terms “claim,” “consumer complaint,” “dealer field report,” “field report,” “fire,” “fleet,” “good will,” “make,” “model,” “model year,” “notice,” “property damage,” “property

damage claim,” “rollover,” “type,” “warranty,” “warranty adjustment,” and “warranty claim,” whether used in singular or in plural form, have the same meaning as found in 49 C.F.R. § 579.4.

- **Vehicle Manufacturer:** “Vehicle Manufacturer” means any person engaged in the manufacturing or assembling of new motor vehicles, or who acts for and is under the control of any such person in connection with the distribution of new motor vehicles.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as Webasto Thermo has previously provided a document to ODI, Webasto Thermo may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

1. State whether Webasto has submitted a complete response to questions 1 and 2 of NHTSA’s April 9, 2024 Information Request Letter (Enclosure 2), which requests:
 - a. A complete list of purchasers and the quantities to whom the same or similar High Voltage Coolant Heaters (HVCH) were supplied. This information should be supplied in the form of a spreadsheet and should also contain the business name, business entity type (Vehicle manufacturer, OEM, distributor, retailer, etc..), contact name, address, phone number, email, model number(s), quantiles of each model, and the total number of units provided to each purchaser.
 - b. Copies of all written communications, including but not limited to mail and email, initiated by Webasto and sent to its purchasers regarding the same or similar HVCH equipment recalled by JLR and Lucid.

If incomplete, identify and produce any missing responsive documents.

2. In Webasto’s June 17, 2024 response to NHTSA’s April 9, 2024 Information Request Letter (Enclosure 2), Webasto submitted an October 26, 2023 letter from Webasto to Phoenix Motorcars (Enclosure 3). Identify each additional person or entity to whom Webasto sent this letter or a substantiality similar letter.

Legal Authority for This Request

This letter is being sent to Webasto Thermo pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports. It constitutes a new request for information.

Civil Penalties

Webasto Thermo's failure to respond promptly and fully to this letter could subject Webasto Thermo to Civil Penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive

relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) The Vehicle Safety Act, 49 U.S.C. § 30165(a)(3), provides for Civil Penalties of up to \$27,874 per violation per day, with a maximum of \$139,356,994 for a related series of daily violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. See 49 C.F.R. § 578.6(a)(3). This includes failing to respond completely, accurately, or in a timely manner to ODI information requests.

If Webasto Thermo cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney client, attorney work product, or other privilege, Webasto Thermo does not submit one or more requested documents or items of information in response to this information request, Webasto Thermo must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

Confidential Business Information

If Webasto Thermo's response contains any information that you claim is confidential business information, Webasto Thermo must submit its request for confidential treatment and any files containing CBI to NHTSA's Office of the Chief Counsel Via the CBI Portal or a secure electronic file transfer link. Please see enclosure 1 for additional instructions on submitting a request for confidential treatment that is compliant with 49 C.F.R. Part 512 (specifically, a request for confidential treatment must include the four required parts that are discussed in enclosure 1).

If you choose not to submit your request for confidential treatment and any files containing CBI directly to NHTSA's Office of the Chief Counsel via the CBI Portal, please notify the investigator referenced in this IR to ensure that the secure file transfer link for your request for confidential treatment and any files containing CBI are directed to the Office of the Chief Counsel accordingly.

In addition to submitting a request for confidential treatment and any files containing CBI directly to NHTSA's Office of the Chief Counsel, Webasto Thermo must submit a copy of its request for confidential treatment and any files containing CBI directly to ODI via the Safety Defect Investigations (SDI) Portal. For each file submitted through the SDI Portal where CBI is being requested, Webasto Thermo must check the "Contains CBI" box. In addition, Webasto Thermo, must submit a redacted version of each file for which CBI is being requested. The requests for confidential treatments and certification documents are not considered confidential so these documents should not be marked as "Contains CBI".

Please refer to AQ24004-02 in Webasto Thermo's response to this letter and in a request for confidential treatment that Webasto Thermo may submit.

Due Date

Webasto's response to this letter must be submitted to this office within 30 days of receipt of this letter. If Webasto finds that it is unable to provide all the information requested within the time allotted, Webasto must request an extension no later than five business days before the response due date. If Webasto is unable to provide all of the information requested by

the original deadline, it must submit a partial response by the original deadline with whatever information Webasto then has available, even if an extension has been granted.

If you have any questions concerning this matter, please contact Choon Lee at (202) 366-0388 or by e-mail at choon.lee@dot.gov.

Sincerely,

Alexander Ansley

Alexander Ansley, Chief
Recall Management Division
Office of Defects Investigation

ENCLOSURE 1 - INFORMATION FOR REQUESTS FOR CONFIDENTIAL TREATMENT

If you believe that your response contains any material that you claim is confidential business information, submit these materials to NHTSA's Office of the Chief Counsel in accordance with 49 C.F.R. Part 512. **All requests for confidential treatment must be submitted directly to the Office of the Chief Counsel via the Confidential Business Information (CBI) Portal or a secure file transfer link for your submission addressed to the Office of the Chief Counsel.** If you are not currently registered for the CBI Portal, you may send a registration request to cbi-helpdesk@dot.gov. In addition to directly submitting the files to the Office of the Chief Counsel, you will also need to submit a copy of your request and files containing CBI directly to ODI through the Safety Defect Investigations (SDI) Portal.

Requests for confidential treatment are governed by Part 512. A current version of this regulation is available on the internet at <http://www.ecfr.gov>, by selecting Title 49 "Transportation," selecting "Parts 500 - 599" and then selecting Part 512 "Confidential Business Information."

How to request confidential treatment:

NHTSA is currently treating electronic submission as an acceptable method for submitting confidential business information to the agency under Part 512. If you claim that any of the information or documents provided in your response constitutes confidential business information within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, you must request a secure file transfer link from the ODI contact listed in your Information Request. ODI will copy a representative from the Office of the Chief Counsel on the secure file transfer link for your request for confidential treatment. You must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with Part 512, to the Office of the Chief Counsel. Do not send a hardcopy of a request for confidential treatment to NHTSA's headquarters.

Your request must include a request letter that contains supporting information, pursuant to Part 512.8. Your request must also include a certificate, pursuant to Part 512.4(b) and Part 512, Appendix A.

You are required to submit one unredacted "confidential version" of the information for which you are seeking confidential treatment. Pursuant to Part 512.6, the words "ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION" or "CONFIDENTIAL BUSINESS INFORMATION CONTAINED WITHIN BRACKETS" (as applicable) must appear at the top of each page containing information claimed to be confidential. In the latter situation, where not all information on the page is claimed to be confidential, identify each item of information for which confidentiality is requested within brackets: "[]."

You are also required to submit one redacted "public version" of the information for which you are seeking confidential treatment. Pursuant to Part 512.5(a)(2), the redacted "public version" should include redactions of any information for which you are seeking confidential treatment (i.e., the only information that should be unredacted is information for which you are not seeking confidential treatment).

For questions about a request for confidential treatment, please contact Dan Rabinovitz in the Office of the Chief Counsel at Daniel.Rabinovitz@dot.gov.

Enclosure 2, ENCLOSURE 2 - INFORMATION REQUEST APRIL 9, 2024

Information Request dated April 9, 2024 can be found at the following link:

<https://static.nhtsa.gov/odi/inv/2024/INIM-AQ24004-11651.pdf>

Enclosure 3, ENCLOSURE 3 - WEBASTO LETTER TO PHOENIX MOTORCARS

Webasto Thermo & Comfort SE . P.O. Box 1410 . 82205 Gilching . Germany

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Ryan McCombe

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Fax +49 (89) XXXXX - XXX

xxx@webasto.com

October 26, 2023

NHTSA information request on Webasto high voltage heater

Dear Valued Customer,

we hereby inform you that the US National Highway Traffic Safety Administration (“NHTSA”) has contacted us to request information on Webasto’s high voltage heater (“HVH”), in connection with a voluntary safety recall by one of our customers due to an incorrect system integration of the HVH in the customer’s vehicles.

In the recall report submitted, the customer has named Webasto as the supplier of the HVH.

The HVH itself is not defective. Webasto supplies the HVH as a standard component. Webasto is not responsible for the system integration of the component into their vehicles. We therefore do not see any responsibility of Webasto in relation to the recall.

Currently, NHTSA requests information about other purchasers to whom Webasto has sold or otherwise provided the same or similar HVH equipment. Due to confidentiality concerns on our side, we will limit the scope of the information disclosed to NHTSA as far as possible; nonetheless, we are obliged by way of law to cooperate with NHTSA as an authority in this matter.

Since you are one of our HVH customers, it is our concern to inform you accordingly, as the information requested by NHTSA include the name and address of our HVH customers as well as other information, e.g., about the specific component and quantities delivered.

Our response to NHTSA is due on Tuesday, Oct.31st, 2023. We therefore kindly ask for your immediate response to our letter and to inform us in case you disagree with the disclosure of your company’s name as our customer or the disclosure of related information regarding the HVH component delivered to you.

In case we do not receive any response from your company by Monday, Oct. 30th, 2023 (EOB), we will assume that you have given your consent to such disclosure towards NHTSA. We appreciate your cooperation and understanding. In case you have any questions, please do not hesitate to contact us immediately.