APR - 1 2008

Gay P. Kent
Director, Product Investigations
General Motors North America
Mail Code 480-210-G11
30001 Van Dyke
Warren, MI 48090

Re: Request for Confidential Treatment of Information Submitted in EA06-009 and EA06-016

Dear Ms. Kent:

This responds to your September 14, 2007 request for confidential treatment for General Motors (GM) materials submitted to the National Highway Traffic Safety Administration (NHTSA) in the above referenced investigations. You request that the materials be granted confidential treatment permanently.

GM seeks confidential treatment for copies of materials presented to NHTSA during a meeting between GM and NHTSA representatives. The information for which GM seeks confidential treatment is contained on the pages marked "CONFIDENTIAL." GM contends that it submitted this information voluntarily and that it is not customarily released to the public.

I am granting your request.

The information provided by GM was submitted voluntarily. Accordingly, I have reviewed your request under the principles set forth in *Critical Mass Energy Project v. Nuclear Regulatory Comm'n*, 975 F.2d 871 (D.C. Cir. 1992).

Under the test set forth in *Critical Mass*, financial or commercial information provided to the government on a voluntary basis is "confidential" for purposes of Exemption 4 of the Freedom of Information Act if it is the kind of information that would customarily not be released to the public by the submitter. Your certificate indicates that the information contained in your response is information that has never released or become available outside GM.

This grant of confidential treatment is subject to certain conditions. The information may be disclosed under 49 CFR § 512.22 based upon newly discovered or changed facts, and you must inform the agency of any changed circumstances that may affect the protection of the information (49 CFR § 512.10). If necessary, you will be notified prior to the release of any information under the procedures established by our regulations (49 CFR § 512.22(b)).

Sincerely,

Original Signed By

Otto G. Matheke, III
Senior Attorney