



GENERAL MOTORS NORTH AMERICA
Structure & Safety Integration

February 17, 2004

Jacqueline Glasman,
Office of Chief Counsel
NHTSA Safety Assurance
Room #5219
400 Seventh Street, S.W.
Washington, D.C. 20590

GM-648

NVS-213gam
PE03-057

Dear Ms. Glasman:

Enclosed with this letter are three versions of General Motors' (GM) response to NHTSA's information request (IR), dated December 19, 2003, regarding allegations of parking brake ineffectiveness in certain Model Year (MY) 1999-2003 GMC Sierra, Chevrolet Silverado, Chevrolet Avalanche and Cadillac Escalade EXT pickup trucks built on the GMT800 platform and equipped with "drum-in-hat" parking brakes. The first two versions include the confidential documents and in the third has the confidential information removed.

General Motors requests that the drawings stamped "GM Confidential" included in the electronic Attachment 1 CD disc 5 - GM Confidential; and attachment "TRW" be afforded confidential treatment by the NHTSA. This information is not customarily made public by General Motors and contains trade secrets and commercial information which is privileged or confidential under 5 U.S.C. Section 552(b)(4), 49 CFR Part 512 and 49 U.S.C. Section 30167(a).

Electronic Attachment 1 CD disc 5 - GM Confidential; and attachment "TRW" contain engineering drawings, having commercial value that can only be obtained independently at considerable cost. This information can be used by competitors to identify quality and performance problems or differences, thereby enabling them to improve their own products, without the expenditures associated with the evaluation of products, all at the expense of General Motors. Attachment "TRW" contains commercial information the disclosure of which would likely result in substantial competitive harm.

General Motors treats the above material as confidential proprietary information available only to authorized General Motors and supplier personnel and not otherwise available to the public. The document is maintained under a record-keeping system which is intended to control dissemination of this material within General Motors, and to assure that it is not disseminated outside the Corporation, except as described in the attached certification made pursuant to 49 CFR Part 512.4(e).

To the best of our knowledge, no prior determinations of the confidentiality of these documents have been made by the NHTSA, other Federal Agencies, or the Federal Courts. Documents such as the ones contained in electronic Attachment 1 CD disc 5 - GM Confidential; and attachment "TRW", however, have, to the best of our knowledge, normally been granted confidential treatment by the NHTSA in the past. The information in Electronic Attachment 1 CD Disc 5 - GM Confidential; and attachment "TRW" are of a type for which a class determination of confidentiality has been made under 49 CFR Part 512, Appendix B.

The corresponding copies of these documents are being provided on a CD labeled attachment 1 CD disc 5 - GM Confidential and attachment "TRW". If a request for disclosure of any or all of this information is received by the NHTSA, General Motors requests notification of receipt of each such request and, if necessary, an opportunity to further explain the reasons why such material is trade

Product Investigations

Mail Code: 480-106-304 • 30500 Mound Road • Warren, MI 48090-9055
Phone: (586) 886-8029 • Fax: (586) 847-2318
GM648 Confidentiality Cover Letter



secret and commercial information which should not be disclosed under the applicable statutes and regulations.

Please contact me if you require further information about this request.

Sincerely,



Gay P. Kent
Director
Product Investigations

Attachments



January 29, 2004

General Motors Corporation
Pontiac, Michigan

Attn: Allen Collins, Lead Engineer

RE: GMT 800: NHTSA - IR: GM-648 (PE03-057)

Dear Mr. Collins:

You have requested that Kelsey-Hayes Company supply certain documents in support of the above NHTSA investigation, which you have agreed will be supplied to NHTSA only on the basis of request of confidentiality of certain of the documents pursuant to a Certificate and Statement of Support as required by NHTSA and federal regulations. Attached please find the Certificate of Confidentiality, Statement in Support as well as the Confidential Documents. It is our understanding that you will submit those only to the Chief Counsel's Office of NHTSA under this request of confidentiality.

If you have any questions, please feel free to contact me.

Very truly yours,


Marlann McNally
Assistant General Counsel
and Assistant Secretary
Phone: 734.266.2663

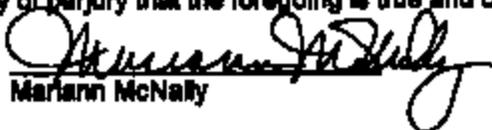


**Third Party Supplier
Certificate In Support of Request for Confidentiality
GMT800 NHTSA-IR: GM-648 (PE03-057)**

I, Mariann McNally, pursuant to the provisions of 49 CFR part 512, state as follows:

1. I am Mariann McNally, Assistant General Counsel and Assistant Secretary of Kelsey-Hayes Company and I am authorized by Kelsey-Hayes Company to execute this certificate on its behalf (and on behalf of its parent company TRW Automotive Inc. and its and their affiliates);
2. I certify that the information contained in the submitted documents listed and numbered on Exhibit A attached hereto and marked as CONFIDENTIAL is confidential and proprietary data and is being submitted with the claim that it is entitled to confidential treatment under 5 U.S.C. 552(b)(4) (as incorporated by reference in and modified by the statute under which the information is being submitted);
3. I hereby request that the information contained in Document Numbers: 1, 2, 3, 4 A and B, 5, 6 A and B, 7, 8, 9, 10, 11, 12, 13, 14 as listed on Exhibit A and identified as CONFIDENTIAL and as attached be protected and held confidential and not be disclosed by NHTSA to others for an indefinite period;
4. This certification is based on the information provided by the responsible Kelsey-Hayes Company 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 Kelsey-Hayes Company;
5. Based upon that information, to the best of my knowledge, information and belief, the information for which Kelsey-Hayes Company has claimed confidential treatment has never been released or become available outside Kelsey-Hayes Company (except as hereinafter specified: except under confidentiality agreement obligating party to whom disclosed to maintain 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 Kelsey-Hayes Company because of unauthorized or inadvertent disclosure (except as stated in paragraph 5); and
7. I certify under penalty of perjury that the foregoing is true and correct. Executed on 1/29/04.

Signature of Official:


Mariann McNally

Attachments of Supporting Information in Compliance to 49 CFR part 512.4

- (a) Description of information for which confidentiality is being requested (See Exhibit A which identifies Document Numbers: 1, 2, 3, 4A and B, 5, 6A and B, 7, 8, 9, 10, 11, 12, 13, 14 as listed on Exhibit A and identified as CONFIDENTIAL and all such Documents as attached);
- (b) Listing of confidential standard(s) under 49 CFR part 512.15 set to apply (See Statement of Support Attached);
- (c) Provided justification for basis of claim of confidentiality (See Statement of Support, attached);
- (d) Statement of general class determined: Confidential Business Information as described in 5 USC 552(b)(4) and Regulations 512.3(c)(2) Commercial Information (some could also qualify as Trade Secrets under 5 USC 552(b)(4) and Regulations 512.3(c)(1));
- (e) Statement of time period for confidential treatment for an indefinite period;
- (f) Name, address, and telephone number of company representative set for potential NHTSA interface Mariann McNally, TRW Automotive, 12025 Tech Center Drive, Livonia, MI 48150, phone: 734.268.2683; fax: 734.268.4600; email: mariann.mcnaully@trw.com;
- (g) Materials for which confidentiality is not being requested: None.

**Statement of Supporting Information for Request for Confidentiality
Regarding Kelsey Hayes Company Information**

Kelsey Hayes Company ("KH") supplies certain parking brake system ("PBS") components to its customer General Motors Corporation ("GM"). KH is informed that by email letter dated January 13, 2004 from Allen Collins, Lead Engineer at General Motors, attaching excerpt of a letter from ODI which requested information from GM in connection with GMT800 NHTSA-IR: GM-648 (PE03-057). In order to respond to the above-referred letter, GM requested certain information from its supplier, KH, and KH has provided information to GM in response. Portions of the information provided to GM by KH have been designated "Confidential" by KH. The "Confidential" information is contained in (Document Numbers: 1, 2, 3, 4A and B, 5, 6A and B, 7 8, 9, 10, 11, 12, 13, 14 as listed on Exhibit A and as attached) and provided to GM in support of GM's submission to NHTSA and includes documents relating to product drawings, charts, test results, engineering reports analyzing such tests. KH requests that the designated portions of these documents be afforded confidential treatment by the NHTSA. This information is not customarily made public by KH and contains trade secrets and commercial information which is privileged or confidential under 5 USC § 552(b)(4), 49 USC 30167(a) and 49 CFR Part 512.

The documents relating to product drawings, charts, test results, engineering reports analyzing such tests or portions thereof for which KH seeks confidential treatment have commercial value that can only be obtained independently at considerable cost. This information can be used by competitors of KH to identify important areas of product performance, thereby enabling them to improve their own products without the expenditures associated with the evaluation of products, all at the expense of KH. This information would also be useful in benchmarking by competitors. In addition, knowledge of such information would allow KH's competitors to avoid testing

expenses of their own. The documents relating to product drawings, charts, test results, engineering reports analyzing such tests or portions thereof designated as "Confidential" contain commercial information, the disclosure of which would be likely to cause substantial harm to the competitive position of KH.

KH treats this information as confidential and proprietary information which is available only to authorized KH personnel and, when necessary, its customer, GM, and not otherwise available to the public. The documents designated as "Confidential" are maintained under a record keeping system which is intended to control dissemination of the information within KH, and to assure that it is not disseminated outside the corporation, except as described in the attached Certificate in Support of Request for Confidentiality made pursuant to 49 CFR 512.4(b).

To the best of our knowledge, no prior determinations of the confidentiality of these documents inconsistent with this request have been made by the NHTSA, other federal agencies or the federal courts. Documents such as these, however, have, to the best of our knowledge, normally been granted confidential treatment by the NHTSA in the past.

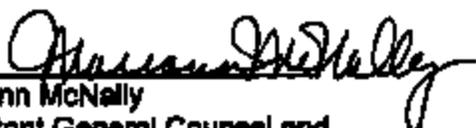
The KH documents for which confidential treatment is being requested, along with a copy of this Supporting Information, are being submitted to the NHTSA Office of General Counsel by GM. It is requested that notice concerning the Agency's determination of confidentiality for this material and any questions relating to confidentiality be addressed to Mariann McNally, Assistant General Counsel, TRW Automotive, 12025 Tech Center Drive, Livonia, MI 48150, phone: 734.266.2663; fax: 734.266.4590; email: mariann.mcnelly@trw.com.

The documents subject to this request for confidentiality have been clearly stamped "Confidential". Confidential treatment of this material is requested for an indefinite period. If a request for disclosure of any or all of the KH Confidential

Information is received by the NHTSA, KH requests notification of receipt of each such request and, if necessary, an opportunity to further explain the reasons why such material is trade secret and commercial information which should not be disclosed under the applicable statutes and regulations.

Dated: January 29, 2004

Kelsey Hayes Company

By: 
Mariann McNally
Assistant General Counsel and
Assistant Secretary

**GMT800 NHTSA-IR: GM-648 (PE03-057) Drum in Hat Parking Brakes for
1999 - 2003**

The following is a list of documents supplied with this package:

Charts and Drawings and Tests:

1. Summary chart of GMT800 system 3 and 4 brakes for 1999-2004 [confidential]
2. Summary chart of all TRW DIH usage in NA [confidential]
3. Summary chart of "Park Brake Actions" [confidential]
4. Assembly details of current system 3- 14660501-A [4 A confidential] & 4 and 14660601-A [4 B confidential]
5. Original DVPR for 1999 system 3 (K-H-13475901-A, GM 15034180) [confidential]
6. System 3 dyno heat tests DYN 2927 [6 A confidential] & System 4 dyno heat tests DYN 2930 [6 B confidential]

TRW Engineering reports:

7. 98.026 - Evaluation of NBK D9097 lining [confidential]
8. DVP&R - 14196801 assembly [confidential]
9. 01.017 - Reduced heat treat shoe web development test [confidential]
10. 01.085 - Fine thread adjuster development tests [confidential]
11. 02.033 - Park brake static durability ES test [confidential]
12. 03.134 - Park brake static durability/caliper arm fatigue - ES test [confidential]
13. 03.129 - System 3 adaptor replacement tooling - ES test [confidential]
14. 03.080 - Park lever fatigue/yield - ES test [confidential]

D. Siekas
TRW Automotive
Product Engineering
1-29-04