



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

1200 New Jersey Avenue SE.
Washington, DC 20590

MAR 15 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Carmen Benavides
Director, Product Investigations
Structure and Safety Integration
General Motors Company
30001 Van Dyke - Mail Code 480-210-2V1
Warren MI 48090-9055

NVS-212cag
EA11-015

Dear Ms. Benavides:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has upgraded its investigation (PE11-021) and opened an Engineering Assessment (EA11-015) to investigate allegations of failure of the transmission shift cable on model year (MY) 2007-2008 Saturn Aura vehicles manufactured by General Motors (GM), and to request certain information.

This office has received 30 complaints alleging failure of the transmission shift cable in MY 2007-2008 Saturn Aura vehicles. The reports indicate that the following failures occur without warning: the engine may not restart; there may be unintended vehicle motion with the engine off and the shifter in the park position; and, the shifter fails to fully engage in the intended gear. Identification numbers for the 30 consumer complaints are provided at the end of this letter.

Since ODI opened PE11-021, GM informed this office that the same or similar cables were used on MY 2007-2008 Saturn Aura vehicles, MY 2007-2008 Pontiac G6 and MY 2007-2008 Chevrolet Malibu vehicles. ODI has found 8 consumer complaints involving the Pontiac G6 and 5 consumer complaints involving the Chevrolet Malibu. Therefore, this information request will request data and information for GM's MY 2007-2008 Pontiac G6 and MY 2007-2008 Chevrolet Malibu vehicles. The identification numbers of the consumer complaints for these vehicles are provided at the end of this letter.

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

- **Subject vehicles:** All MY 2007-2008 Saturn Aura, MY 2007-2008 Pontiac G6 and MY 2007-2008 Chevrolet Malibu vehicles manufactured for sale or lease in the United States that contain the subject component.



- **Subject component:** Transmission shift cables provided to GM and manufactured by Leggett & Platt.
- **GM:** General Motors Company, its predecessor General Motors Corporation, all of their past and present officers and employees, whether assigned to their principal offices or any of its field or other locations, including all of their 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 GM (including all business units and persons previously referred to), who are or, in or after 2003, were involved in any way with any of the following related to the alleged defect(s) in the subject vehicles:
 - a. Design, engineering, analysis, modification or production (e.g. quality control);
 - b. Testing, assessment or evaluation;
 - c. 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, or lawsuits; or,
 - d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.
- **Alleged defect(s):**
 1. Unintended movement with the shifter in the Park position;
 2. Unintended movement in the opposite direction than the driver intended or the shifter indicated; or,
 3. Vehicle roll-away after the operator exited the vehicle with the shifter in Park.
- **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 GM, 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 GM or not. If a document is not in the English language, provide both the original document and an English translation of the document.

- **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 (MY)," "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 CFR 579.4.

In order for my staff to evaluate the alleged defect(s), certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as GM has previously provided a document to ODI, GM 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.

Please repeat the applicable request verbatim above each response. After GM's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State, by model and model year, the number of subject vehicles GM has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by GM, state the following:
 - a. Vehicle identification number (VIN);
 - b. Make;
 - c. Model year;
 - d. Model and model designation (XE, XR, e.g.);
 - e. Transmission (4-speed automatic, 6-speed automatic, etc.) and transmission designation (MN5, MH2, etc.);

- f. Date of manufacture;
- g. Date warranty coverage commenced;
- h. Gear shift cable Part Number(s); and,
- i. The state in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide the table in Microsoft Access 2007, or a compatible format, entitled **“PRODUCTION DATA.”**

2. State the number of each of the following, received by GM, or of which GM is otherwise aware, which relate to, or may relate to, the alleged defect(s) in the subject vehicles:
 - a. Consumer complaints;
 - b. Field reports, including dealer field reports;
 - c. Reports involving an injury or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject component;
 - d. Property damage claims;
 - e. Third-party arbitration proceedings where GM is or was a party to the arbitration; and,
 - f. Lawsuits, both pending and closed, in which GM is or was a defendant or codefendant.

For subparts “a” through “d” state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items “c” through “f,” provide a summary description of the alleged problem and causal and contributing factors and GM’s assessment of the problem, with a summary of the significant underlying facts and evidence. For items “c through f” identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
 - a. GM’s file number or other identifier used;
 - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
 - c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
 - d. Vehicle’s VIN;
 - e. Vehicle’s make, model and model year;
 - f. Vehicle’s mileage at time of incident;
 - g. Incident date;
 - h. Report or claim date;
 - i. Whether it is alleged that the door latch(es) malfunctioned, i.e. did not pop up or lock/unlock, etc.;
 - j. Whether unintended movement with the shifter in the Park position is alleged;

- k. Whether unintended movement in the opposite direction than the driver intended, or than the shifter indicated, is alleged;
- l. Whether it is alleged that the vehicle rolled away after the operator exited the vehicle with the shifter in Park;
- m. Whether or not the engine was running when the alleged incident occurred;
- n. Whether the transmission was in either a forward or reverse drive gear when the incident occurred, (state the gear);
- o. The transmission gear position indicated by the shifter when the alleged incident occurred;
- p. Whether a crash is alleged;
- q. Whether property damage is alleged;
- r. Number of alleged injuries, describe the injury, if any; and,
- s. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2007, or a compatible format, entitled **“COMPLAINT DATA.”**

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method GM used for organizing the documents.
5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by GM to date that relate to, or may relate to, the alleged defect(s) in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign (i.e. Technical Service Bulletin No. 11175).

Separately, for each such claim, state the following information:

- a. GM’s claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Repair or replacement date;
- e. Vehicle mileage at time of repair;
- f. Repairing dealer’s or facility’s name and telephone number;
- g. Repairing dealer’s or facility’s city and state;
- h. Labor operation number;
- i. Problem code;
- j. Replacement part number(s) and description(s);
- k. Whether the claim occurred subsequent to a recall or TSB repair (include the recall or TSB number);
- l. Concern stated by customer; and,
- m. Comment, if any, by dealer/technician relating to claim and/or repair or replacement.

Provide this information in Microsoft Access 2007, or a compatible format, entitled **“WARRANTY DATA.”**

6. Describe in detail the search criteria used by GM to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect(s) in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by GM on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that GM offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.
7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect(s) in the subject vehicles, that GM has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that GM is planning to issue within the next 120 business days.
8. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect(s) in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, GM. Include in this response any such actions that relate, or may relate, to the issuance of GM Technical Service Bulletin No. 11175. For each such action, provide the following information:
 - a. Action title or identifier;
 - b. The actual or planned start date;
 - c. The actual or expected end date;
 - d. Brief summary of the subject and objective of the action;
 - e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and,
 - f. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

9. List and explain in detail all engineering, quality and durability standards and/or specifications that GM recognizes and utilizes for the subject component on the subject vehicles. For each standard or specification, provide the following information:
 - a. A copy of all related documents (i.e. test procedures, FMEA, DVP&R, etc);
 - b. The make, model, model year of the vehicles that are impacted by each standard and/or specification;
 - c. The part numbers and a description of the part numbers related to each standard and/or specification;

- d. Whether or not each of the subject component part numbers satisfy the requirements of the standard and/or specification, if not, explain specifically what requirement was not met and why it failed to meet;
 - e. If a subject component part number did not/does not satisfy the requirements of each standard and/or specification, explain any and all effects on the component's field performance or ability to perform its intended function; and,
 - f. If any of the standards and/or specifications for any subject component were/are not met, state the date when GM became aware of the failure to meet the standards and/or specifications.
10. Describe all modifications or changes made by, or on behalf of, GM in the design, material composition, manufacture, quality control, supply, warnings or instructions for the use of the subject component(s) that may impinge on or affect the subject components, from the start of production to date, which relate to, or may relate to, the alleged defect(s) in the subject vehicles. For each such modification or change, provide the following information:
- a. The date or approximate date on which the modification or change was incorporated into vehicle production;
 - b. A detailed description of the modification or change;
 - c. The reason(s) for the modification or change;
 - d. The part numbers (service and engineering) of the original subject component;
 - e. The part number (service and engineering) of the modified subject component;
 - f. Whether the original unmodified subject component was withdrawn from production and/or sale, and if so, when;
 - g. When the modified subject component was made available as a service component;
 - h. Whether the modified subject component can be interchanged with earlier production components;
 - i. The supplier of each modified subject component; and,
 - j. The models and model years of vehicles affected by the modification.

Also, provide the above information for any modification or change that GM is aware of which may be incorporated into vehicle production within the next 120 business days.

11. Produce or provide one of each of the following:
- a. One unused sample of each version of every subject component;
 - b. One failed sample of every version of every subject component returned from field service/use; and,
 - c. Engineering drawings, including material specifications, of all subject components used on the subject vehicles.
12. State the number of each of the following that GM has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), model and Model year of the vehicle in which it is used, and month/year of sale (including the cut-off date for sales, if applicable):
- a. Subject components;
 - b. Transmission shift cables other than those included in Request 12a above; and,

- c. Any kits that have been released, or developed, by GM for use in service repairs or replacements to the subject components.

For each subject component design, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number).

13. Furnish GM's assessment of the alleged defect(s) in the subject vehicles, including:
 - a. The causal or contributory factor(s);
 - b. The failure mechanism(s);
 - c. The failure mode(s) and the factors that would lead to the alleged defect(s);
 - d. The risk to motor vehicle safety that it poses;
 - e. Any differences or variations in the subject vehicle models and/or model years that would account for the likelihood of cable failure or that would account for differences in failure rates while the vehicle is in service;
 - f. What warnings, if any, the operator and other persons both inside and outside the vehicle would have that the alleged defect(s) was occurring or the subject component was malfunctioning, the likelihood of such warnings and the explanation for either the lack of such warning or the consumer not reacting as GM would assume; and,
 - g. Provide a copy of all related documents and reports associated with this assessment.

This letter is being sent to GM 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 and the production of things. It constitutes a new request for information. GM's failure to respond promptly and fully to this letter could subject GM 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.) Section 5(a) of the TREAD Act, codified at 49 U.S.C. § 30165(b), provides for civil penalties of up to \$6,000 per day, with a maximum of \$17,350,000 for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. *See* 49 CFR 578.6 (as amended by 75 Fed. Reg. 79978 (Dec. 21, 2010)). This includes failing to respond to ODI information requests.

If GM 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, GM does not submit one or more requested documents or items of information in response to this information request, GM 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.

GM's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by **May 4, 2012**. **All business confidential information must be submitted directly to the Office of Chief Counsel as described in the following paragraph and should not be sent to this office.** In addition, do not submit any business confidential information in the body of the letter submitted to this office. Please refer to EA11-015 in GM's response to this letter and in any confidentiality request submitted to the Office of

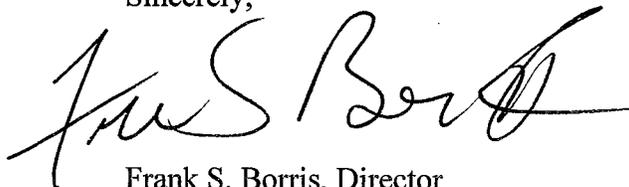
Chief Counsel. If GM finds that it is unable to provide all of the information requested within the time allotted, GM must request an extension from me at (202) 366-8089 no later than five business days before the response due date. If GM is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information GM then has available, even if an extension has been granted.

If GM claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, GM must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, as amended, to the Office of Chief Counsel (NCC-111), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. GM is required to **submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.** Please remember that the word "CONFIDENTIAL BUSINESS INFORMATION" must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 5 U.S.C. § 512.6. If you submit a request for confidentiality for all or part of your response to this Information Request, that is in an electronic format (e.g., CD-ROM), your request and associated submission must conform to the new requirements in NHTSA's Confidential Business Information Rule regarding submissions in electronic formats (49 CFR 512.6(c)). See Federal Register, volume 72, page 59434 (October 19, 2007).

Please send email notification to Scott Yon (scott.yon@dot.gov) and to ODI_IRresponse@dot.gov when GM sends its response to this office and indicate whether there is confidential information as part of GM response.

If you have any technical questions concerning this matter, please call Scott Yon of my staff at (202) 366-0139.

Sincerely,



Frank S. Borris, Director
Office of Defects Investigation
Enforcement

VOQ Numbers:Saturn Aura MY 2007 – 2008

10274914, 10350111, 10354195, 10374834, 10382559, 10383044, 10390139, 10398044,
10398417, 10398882, 10403408, 10404496, 10405577, 10407609, 10409341, 10411913,
10412157, 10413540, 10415038, 10415302, 10418212, 10432953, 10435633, 10435653,
10435655, 10435677, 10435996, 10437521, 10437846, 10447303

Pontiac G6 MY 2007 – 2008

10263230, 10369579, 10401298, 10403878, 10406172, 10426732, 10447156, 10450056

Chevrolet Malibu MY 2007 – 2008

10322299, 10348555, 10395113, 10404528, 10445105