



Fuji Heavy Industries U.S.A., Inc.  
c/o Subaru of America  
Subaru Plaza  
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856-488-8500  
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June 18, 2015  
Ref. No.: GR15-029

Mr. Otto G. Matheke, III  
Office of Chief Counsel, NCC-111  
National Highway Traffic Safety Administration  
West Building, Room W41-233  
1200 New Jersey Avenue, S.E.  
Washington, D.C. 20590

**Confidentiality Request re: NVS-212ifa/PE15-012 2012MY Subaru Impreza (except WRX/STI) Occupant Control Units (OCU)**

Dear Mr. Matheke,

Pursuant to 49 CFR Part 512, Fuji Heavy Industries USA, Inc ("FUSA"), on behalf of Fuji Heavy Industries Ltd. and Subaru of America, Inc., hereby requests confidential treatment for some of the information being submitted in response to a letter concerning the NHTSA's Preliminary Evaluation (PE15-012, April 15, 2015) investigation of allegations of improper operation of the passenger air bag system in model year 2012 Subaru Impreza (except WRX/STI) vehicles.

Specific information, including the confidentiality standard(s) under which the confidentiality request should be evaluated and the time period during which confidential treatment is sought, is provided below:

**Disc 4, Folder named "Question No. 8":**

- **PDF with filename "Detailed test data ENGLISH.pdf"**
  - All pages: Confidential treatment is requested for **ALL** of the information contained in this attachment.

In FUSA's opinion, this information should be evaluated under Part 512.15(b), "Public disclosure of the information would be likely to cause substantial harm to the competitive position of the submitter."

**Confidential treatment is requested on a permanent basis.** Release of this information could reveal (1) design and performance parameters of Subaru's Occupant Classification System (OCS) and (2) the process and results of Subaru's evaluation.

- **PDF with filename "Detailed test data JAPANESE.pdf"**
  - All pages: Confidential treatment is requested for **ALL** of the information contained in this attachment.

In FUSA's opinion, this information should be evaluated under Part 512.15(b), "Public disclosure of the information would be likely to cause substantial harm to the competitive position of the submitter."

**Confidential treatment is requested on a permanent basis.** Release of this information could reveal (1) design and performance parameters of Subaru's Occupant Classification System (OCS) and (2) the process and results of Subaru's evaluation.

- **PDF with filename "Jan 19 2012 - Denso report test data Maryland ENGLISH.pdf"**

- All pages: Confidential treatment is requested for **ALL** of the information contained in this attachment.

In FUSA's opinion, this information should be evaluated under Part 512.15(b), "Public disclosure of the information would be likely to cause substantial harm to the competitive position of the submitter."

**Confidential treatment is requested on a permanent basis.** Release of this information could reveal (1) design and performance parameters of Subaru's Occupant Classification System (OCS) and (2) the process and results of Subaru's evaluation.

- **PDF with filename "Jan 19 2012 - Denso report test data Maryland INCL JAPANESE.pdf"**

- All pages: Confidential treatment is requested for **ALL** of the information contained in this attachment.

In FUSA's opinion, this information should be evaluated under Part 512.15(b), "Public disclosure of the information would be likely to cause substantial harm to the competitive position of the submitter."

**Confidential treatment is requested on a permanent basis.** Release of this information could reveal (1) design and performance parameters of Subaru's Occupant Classification System (OCS) and (2) the process and results of Subaru's evaluation.

If you have any questions concerning this information, please give me a call at (443) 430-3619.

Sincerely,



John Frooshani  
Safety Activities Manager  
Government Relations

Enclosures: Certificate in Support of Request for Confidentiality, Information with CBI, Information with CBI Deleted

**CERTIFICATE IN SUPPORT OF REQUEST FOR CONFIDENTIALITY**

I, John Frooshani, pursuant to the provisions of 49 CFR 512, state as follows:

- (1) I am John Frooshani, Safety Activities Manager for Government Relations and I am authorized by Fuji Heavy Industries USA, Inc. ("FUSA") to execute this certificate on its behalf;
- (2) I certify that portions of the information contained in GR15-028 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 noted as confidential and contained in GR15-028 be protected for the period of time specified in the enclosed request for confidential treatment.
- (4) This certification is based on the information provided by the responsible FUSA 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 of Fuji Heavy Industries;
- (5) Based upon that information, to the best of my knowledge, information and belief, the information for which FUSA has claimed confidential treatment has never been released or become available outside of FUSA;
- (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 of FUSA because of unauthorized or inadvertent disclosure; and
- (7) I certify under penalty of perjury that the foregoing is true and correct.

Executed on this the 18<sup>th</sup> day of June, 2015.



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John Frooshani  
Safety Activities Manager, Government Relations  
Fuji Heavy industries USA, Inc.