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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-979]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules from the People's Republic of China: Partial Rescission of Antidumping Duty Administrative Review

AGENCY: Enforcement and Compliance, International Trade Administration, Commerce.

DATES: *Effective:* **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].**

FOR FURTHER INFORMATION CONTACT: Jeff Pedersen or Thomas Martin, AD/CVD Operations, Office IV, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482-2769 or (202) 482-3936, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 7, 2012 the Department of Commerce (Department) published in the Federal Register the antidumping duty order on crystalline silicon photovoltaic cells, whether or not assembled into modules from the People's Republic of China (PRC).¹ On December 3,

¹ See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order, 77 FR 73018 (December 7, 2012).

2014, the Department published a notice of opportunity to request an administrative review of the order on crystalline silicon photovoltaic cells, whether or not assembled into modules.² The Department received multiple timely requests for an administrative review of the order on crystalline silicon photovoltaic cells, whether or not assembled into modules. On February 4, 2015, in accordance with section 751(a) of Tariff Act of 1930, as amended (the Act), the Department published in the Federal Register a notice of the initiation of an administrative review of that order.³ The administrative review was initiated with respect to 78 companies or groups of companies, and covers the period from December 1, 2013, through November 30, 2014. While 32 companies or groups of companies remain under review, the requesting parties have timely withdrawn all review requests for 46 companies or groups of companies, as discussed below.

Rescission of Review, in Part

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if a party that requested the review withdraws its request within 90 days of the date of publication of the notice of initiation of the requested review. All requesting parties withdrew their respective requests for an administrative review of the 46 companies or groups of companies listed in the Appendix within 90 days of the date of publication of Initiation Notice. Accordingly, the Department is rescinding this review, in part, with respect to these companies, in accordance with 19 CFR 351.213(d)(1).⁴

² See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review, 79 FR 71382 (December 3, 2014).

³ See Initiation of Antidumping and Countervailing Duty Administrative Reviews, 80 FR 6041 (February 4, 2014) (Initiation Notice).

⁴ See Appendix. As stated in Change in Practice in NME Reviews, the Department will no longer consider the non-market economy (“NME”) entity as an exporter conditionally subject to administrative reviews. See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings.

Assessment

The Department will instruct U.S. Customs and Border Protection (“CBP”) to assess antidumping duties on all appropriate entries. For the companies for which this review is rescinded, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i).⁵ The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice.

Notification to Importers

This notice serves as the only reminder to importers whose entries will be liquidated as a result of this rescission notice, of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary’s assumption that the reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective orders (“APO”) of their responsibility concerning the return or destruction of proprietary information disclosed under an APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby

78 FR 65963 (November 4, 2013) (“Change in Practice in NME Reviews”). The PRC-wide entity is not subject to this administrative review because no interested party requested a review of the entity. See Initiation Notice.

⁵ For Hengdian Group DMEGC Magnetics Co., Ltd., we shall instruction CBP to assess duties on entries from June 1, 2014 through November 30, 2014 because there in an ongoing new shipper review of this company covering the period December 1, 2013 through May 31, 2014.

requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: July 28, 2015.

Christian Marsh,
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations.

APPENDIX

- Changzhou NESL Solartech Co., Ltd.
- CSG PVTech Co., Ltd.
- DelSolar Co., Ltd.
- Dongfang Electric (Yixing) MAGI Solar Power Technology Co., Ltd.
- Hengdian Group DMEGC Magnetics Co., Ltd.
- Himin Clean Energy Holdings Co., Ltd.
- Innovosolar
- Jiangsu Green Power PV Co., Ltd.
- Jiawei Solarchina Co., Ltd.
- Jinko Solar Co., Ltd.
- Jinko Solar Import and Export Co., Ltd.
- JinkoSolar International Limited
- Konca Solar Cell Co., Ltd.
- Kuttler Automation Systems (Suzhou) Co., Ltd.
- LDK Solar Hi-Tech (Nanchang) Co., Ltd.
- LDK Solar Hi-Tech (Suzhou) Co., Ltd.
- Leye Photovoltaic Science Tech.
- Luoyang Suntech Power Co., Ltd.
- Magi Solar Technology
- Motech (Suzhou) Renewable Energy Co., Ltd.
- Ningbo ETDZ Holdings, Ltd.
- Ningbo Ulica Solar Science & Technology Co., Ltd.
- Perlight Solar Co., Ltd.
- ReneSola Jiangsu Ltd.
- Renesola Zhejiang Ltd.
- Shenglong PV-Tech
- Shenzhen Suntech Power Co., Ltd.
- ShunFeng PV
- Solarbest Energy-Tech (Zhejiang) Co., Ltd.
- Sopray Energy Co., Ltd.
- Sumec Hardware & Tools Co., Ltd.
- Suntech Power Co., Ltd.
- Suzhou Shenglong PV-Tech Co., Ltd.
- tenKsolar (Shanghai) Co., Ltd.
- Tianwei New Energy (Chengdu) PV Module Co., Ltd.
- Upsolar Group Co., Ltd.
- Wanxiang Import & Export Co., Ltd.
- Wuxi Sunshine Power Co., Ltd.
- Yangzhou Rietech Renewal Energy Co., Ltd.
- Yangzhou Suntech Power Co., Ltd.
- Zhejiang Jiutai New Energy Co., Ltd.

- Zhejiang Shuqimeng Photovoltaic Technology Co., Ltd.
- Zhejiang Xinshun Guangfu Science and Technology Co., Ltd.
- Zhejiang ZG-Cells Co., Ltd.
- Zhejiang Rietech New Energy Science & Technology Co., Ltd.
- Zhiheng Solar Inc.

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