



(BILLING CODE: 3510-DS-P)

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: Final Results of Changed Circumstances Review

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce

SUMMARY: On November 3, 2016, the Department of Commerce (the "Department") published its notice of initiation and preliminary results of a changed circumstances review of the antidumping duty ("AD") order on crystalline silicon photovoltaic cells, whether or not assembled into modules ("solar cells"), from the People's Republic of China ("PRC") (*Preliminary Results*). The Department preliminarily determined that Zhejiang ERA Solar Technology Co., Ltd. ("Zhejiang ERA") is the successor-in-interest to Era Solar Co., Ltd. ("Era Solar") for purposes of the AD order on solar cells from the PRC and, as such, is entitled to Era Solar's antidumping duty cash deposit rate with respect to entries of subject merchandise. We invited interested parties to comment on the *Preliminary Results*. As no parties submitted comments, and there is no other information or evidence on the record calling into question our *Preliminary Results*, the Department is making no changes to the *Preliminary Results*. For these final results, the Department continues to find that Zhejiang ERA is the successor-in-interest to Era Solar.

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

FOR FUTURE INFORMATION CONTACT: Jeff Pedersen, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2769.

SUPPLEMENTARY INFORMATION:

Background

On December 7, 2012, the Department published the AD Order on solar cells from the PRC in the *Federal Register*.<sup>1</sup> On August 31, 2016, Zhejiang ERA requested that the Department initiate an expedited changed circumstances review to determine it as the successor-in-interest to Era Solar for AD purposes.<sup>2</sup> On November 3, 2016, the Department initiated a changed circumstances review and made a preliminary finding that Zhejiang ERA is the successor-in-interest to Era Solar, and is entitled to Era Solar's cash deposit rate with respect to entries of merchandise subject to the AD Order on solar cells from the PRC.<sup>3</sup> We provided interested parties 14 days from the date of publication of the *Preliminary Results* to submit case briefs. No interested parties submitted case briefs or requested a hearing.

Scope of the Order

The merchandise covered by the Order is crystalline silicon photovoltaic cells, whether or not assembled into modules, subject to certain exceptions.<sup>4</sup> Merchandise covered by this Order is currently classified in the Harmonized Tariff System of the United States ("HTSUS") under subheadings 8501.61.0000, 8507.20.80, 8541.40.6020, 8541.40.6030, and 8501.31.8000. While

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<sup>1</sup> 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) ("Order").

<sup>2</sup> See Letter from Zhejiang ERA to the Department regarding, "Re: Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules from the People's Republic of China: Request for Expedited Changed Circumstances Review" (August 31, 2016) ("CCR Request").

<sup>3</sup> See *Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules From the People's Republic of China*, 81 FR 76561 (November 3, 2016) ("*Preliminary Results*") and accompanying Preliminary Decision Memorandum.

<sup>4</sup> For a complete description of the scope of the Order, see Preliminary Decision Memorandum.

these HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of this Order is dispositive.

#### Final Results of Changed Circumstances Review

Because the record contains no information or evidence that calls into question the *Preliminary Results*, for the reasons stated in the *Preliminary Results*, the Department continues to find that Zhejiang ERA is the successor-in-interest to Era Solar, and is entitled to Era Solar's cash deposit rate with respect to entries of merchandise subject to the AD Order on solar cells from the PRC.<sup>5</sup>

#### Instructions to U.S. Customs and Border Protection

Based on these final results, we will instruct U.S. Customs and Border Protection to collect estimated antidumping duties for all shipments of subject merchandise exported by Zhejiang ERA and entered, or withdrawn from warehouse, for consumption on or after the publication date of this notice in the *Federal Register* at the current AD cash deposit rate for Era Solar (*i.e.*, 8.52 percent).<sup>6</sup> This cash deposit requirement shall remain in effect until further notice.

#### Notification to Interested Parties

This notice serves as a final reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby

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<sup>5</sup> For a complete discussion of the Department's findings, which remain unchanged in these final results and which are herein incorporated by reference and adopted by this notice, *see generally* the Preliminary Decision Memorandum accompanying the *Preliminary Results*.

<sup>6</sup> *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2013-2014*, 81 FR 39905 (June 20, 2016).

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

We are issuing and publishing this final results notice in accordance with sections 751(b) and 777(i) of the Tariff Act of 1930, as amended, and 19 CFR 351.216 and 351.221(c)(3).

*Dated: December 12, 2016*

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Paul Piquado  
Assistant Secretary  
for Enforcement and Compliance

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