

preliminary determinations are now due no later than June 13, 2016.<sup>4</sup> In accordance with section 705(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determinations of these investigations will continue to be 75 days after the date of the preliminary determinations, unless postponed at a later date.

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: February 18, 2016.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

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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: Final Results of the Changed Circumstances Review**

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

**SUMMARY:** On October 21, 2015, the Department of Commerce (the "Department") published a notice of preliminary results of a changed circumstance review ("CCR") 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").<sup>1</sup> Based on our analysis of the comments from interested parties, we continue to find that Neo Solar Power Corporation ("Neo Solar") is not the successor-in-interest to DelSolar Co., Ltd. ("DelSolar Taiwan") for purposes of determining AD liability in this proceeding for these final results and, as such, is subject to the PRC-wide entity cash deposit rate with respect to entries of subject merchandise.

**DATES:** *Effective:* February 25, 2016.

**FOR FURTHER INFORMATION CONTACT:** Erin Kearney, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0167.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The Department initiated this CCR on March 18, 2015, and published the *Preliminary Results* on October 21, 2015.<sup>2</sup> For a description of events that have occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.<sup>3</sup> The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System ("ACCESS"). ACCESS is available to registered users at <http://access.trade.gov>, and is available to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

As explained in the memorandum from the Acting Assistant Secretary for Enforcement and Compliance, the Department has exercised its discretion to toll all administrative deadlines due to the recent closure of the Federal Government. All deadlines in this segment of the proceeding have been extended by four business days. The revised deadline for the final results of this review is now February 18, 2016.<sup>4</sup>

##### **Scope of the Order**

The merchandise covered by this order is crystalline silicon photovoltaic

<sup>2</sup> See *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Initiation of Changed Circumstances Review*, 80 FR 15568 (March 24, 2015) ("Initiation Notice"); see also *Preliminary Results*.

<sup>3</sup> See "Issues and Decision Memorandum for the Final Results of the Antidumping Duty Changed Circumstances Review of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Neo Solar Power Corporation and DelSolar Co., Ltd.," dated concurrently with and hereby adopted in this notice.

<sup>4</sup> See Memorandum to the Record from Ron Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, regarding "Tolling of Administrative Deadlines As a Result of the Government Closure During Snowstorm Jonas," dated January 27, 2016.

cells, and modules, laminates, and panels, consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including, but not limited to, modules, laminates, panels and building integrated materials. 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. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of this order is dispositive. A complete description of the scope of the order is contained in the Issues and Decision Memorandum.<sup>5</sup>

##### **Analysis of Comments Received**

All issues raised by interested parties in the case briefs are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is appended to this notice.

##### **Final Results of the Changed Circumstances Review**

Upon review of the comments received, the Department continues to find based upon the totality of the circumstances that material changes occurred after DelSolar Taiwan merged with, and became part of, Neo Solar, including significant changes in management, the board of directors, and ownership and, further, that Neo Solar did not demonstrate that its operations, with respect to the subject merchandise, were materially similar to the operations of DelSolar Taiwan pertaining to supplier relationships and customer base, as discussed in the *Preliminary Results* and the Issues and Decision Memorandum. Therefore, in these final results, the Department continues to find that Neo Solar is not the successor-in-interest to DelSolar Taiwan for purposes of antidumping duty liability in this proceeding.

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

As a result of this determination, the Department finds that Neo Solar is subject to the cash deposit rate currently assigned to the PRC-wide entity with respect to the subject merchandise (*i.e.*,

<sup>5</sup> See "Issues and Decision Memorandum for the Final Results of the Antidumping Duty Changed Circumstances Review of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Neo Solar Power Corporation and DelSolar Co., Ltd.," dated concurrently with and hereby adopted in this notice.

<sup>4</sup> See *Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

<sup>1</sup> See *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Preliminary Results of the Changed Circumstances Review*, 80 FR 63743 (October 21, 2015) ("Preliminary Results"). We note that although the request was submitted on behalf of DelSolar Taiwan, the purported predecessor company, the request also states that DelSolar Taiwan no longer exists as a legal entity.

238.95 percent).<sup>6</sup> Consequently, the Department will instruct U.S. Customs and Border Protection to continue suspension of liquidation and to collect estimated antidumping duties for all shipments of subject merchandise produced by DelSolar Wujiang and exported by Neo Solar at the current cash deposit rate currently applicable to such entries, *i.e.*, the cash deposit rate of 238.95 percent assigned to the PRC-wide entity.<sup>7</sup> This cash deposit requirement shall remain in effect until further notice.

#### Notification to Parties

This notice is the only 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 or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

The Department is issuing and publishing these results in accordance with sections 751(b)(1) and 777(i) of the Tariff Act of 1930, as amended, and 19 CFR 351.216 and 19 CFR 351.221(c)(3)(i).

Dated: February 17, 2016.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

#### Appendix

##### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of Issues
- V. Summary of Findings
- VI. Recommendation

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<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; 2012–2013*, 80 FR 40998 (July 14, 2015).

<sup>7</sup> *Id.*

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–570–041]

#### Truck and Bus Tires From the People’s Republic of China: Initiation of Countervailing Duty Investigation

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

**DATES:** *Effective:* February 25, 2016.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Shore or Mark Kennedy, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone (202) 482–2778, or (202) 482–1293, respectively.

#### SUPPLEMENTARY INFORMATION:

##### The Petition

On January 29, 2016, the Department of Commerce (the Department) received a countervailing duty (CVD) petition concerning imports of certain truck and bus tires from the People’s Republic of China (the PRC), filed in proper form by the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL–CIO, CLC (USW) (USW or the petitioner).<sup>1</sup> The CVD petition was accompanied by an antidumping duty (AD) petition concerning imports of truck and bus tires from the PRC. The petitioner is a recognized union, which represents the domestic industry engaged in the manufacture of truck and bus tires in the United States. On February 3 and February 5, 2016, the Department requested additional information and clarification of certain areas of the Petition<sup>2</sup> and on February 5 and February 9, 2016, the petitioner filed supplements to the Petition.<sup>3</sup>

<sup>1</sup> See “Petition for the Imposition of Countervailing Duties on Imports of Truck and Bus Tires from the People’s Republic of China” dated January 29, 2016 (the Petition).

<sup>2</sup> See Letters to the petitioner, “Petition for the Imposition of Antidumping and Countervailing Duties on Imports of Truck and Bus Tires from the People’s Republic of China: Supplemental Questions” dated February 3, 2016 (General Issues Supplemental Questions) and “Petition for the Imposition of Countervailing Duties on Imports of Certain Truck and Bus Tires from the People’s Republic of China: Supplemental Questions” dated February 5, 2016 (CVD Supplemental Questions).

<sup>3</sup> See “Petitioner’s Response to the Department’s February 3, 2016 Supplemental Questions Regarding General Issues” dated February 5, 2016 (General Issues Supplement); see also “Petitioner’s Response to the Department’s February 5 Supplemental Questions Regarding the

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that producers/exporters of truck and bus tires in the PRC received countervailable subsidies within the meaning of sections 701 and 771(5) of the Act, and that imports from these producers/exporters are materially injuring, or threatening material injury to, an industry in the United States. Also, consistent with section 702(b)(1) of the Act, the Petition is accompanied by information reasonably available to the petitioner in support of its allegations.

The Department finds that the petitioner filed the petition on behalf of the domestic industry because the petitioner is an interested party as defined in section 771(9)(D) of the Act, and has demonstrated sufficient industry support with respect to the initiation of the CVD investigation that it is requesting.<sup>4</sup>

#### Period of Investigation

The period of investigation (POI) is calendar year 2015, in accordance with 19 CFR 351.204(b)(2).

#### Scope of the Investigation

The product covered by this investigation is truck and bus tires from the PRC. For a full description of the scope of the investigation, see the “Scope of the Investigation” at the Appendix of this notice.

#### Comments on the Scope of the Investigation

During our review of the petition, we issued questions to, and received responses from, the petitioner pertaining to the proposed scope in order to ensure that the language of the scope is an accurate reflection of the products for which the domestic industry is seeking relief.<sup>5</sup> As discussed in the Preamble to our regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (scope).<sup>6</sup> The period for scope comments is intended to provide the Department with ample opportunity to consider all comments and to consult with parties prior to the issuance of the preliminary determination. If scope

Countervailing Duty Petition,” dated February 9, 2016.

<sup>4</sup> See “Determination of Industry Support for the Petition” section, below.

<sup>5</sup> See General Issues Supplemental Questionnaire; see also General Issues Supplement at 2 and Exhibit I–SQ–1, and the memorandum to the File entitled “Phone Call with Counsel to the Petitioner” dated February 12, 2016.

<sup>6</sup> See *Antidumping Duties; Countervailing Duties (Final Rule)*; 62 FR 27296, 27323 (May 19, 1997).