

April 24, 2024

The Honorable Gina M. Raimondo
Secretary of Commerce
International Trade Administration
Attn: Enforcement and Compliance
APO/Dockets Unit, Room 18022
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

The Honorable Lisa R. Barton
Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112A
Washington, DC 20436

DOC Investigation Nos. A-555-003, A-557-830,
A-549-851, A-552-841, C-555-004, C-557-831,
C-549-852, and C-552-842
USITC Investigation Nos. 701-TA-__ and 731-TA-__
Total Pages: 13
Investigation
AD/CVD Operations
Petitioners Business Proprietary Information Removed
from the Attached Petition Volumes as indicated below:
Volume I: Pages 3, 4, 6, 7, 10, 11, 23, 26, 27, 36-39,
42-49, 51, 55, Exhibit List, and Exhibits I-3, I-4, I-7,
I-15, I-16, I-19, I-25, I-30, I-31, I-33, I-34
Volume II: Pages 1, 3-5, 7, 9-12, 16, 19, 23, Exhibit
List, and Exhibits II-1, II-2, II-3, II-4, II-11, II-16, II-18,
II-19, II-21, II-23, II-29
Volume III: Pages 1, 3, 4, 6, 8-13, 17, 19, 22, Exhibit
List, and Exhibits III-1, III-2, III-3, III-4, III-11, III-16,
III-18, III-19, III-21, III-23, III-28
Volume IV: Pages 1, 3, 4, 7, 9-12, 16, 18, 22, Exhibit
List, and Exhibits IV-1, IV-2, IV-3, IV-4, IV-11, IV-16,
IV-18, IV-19, IV-21, IV-23, IV-29
Volume V: Pages 1, 4, 6, 8-11, 13, 14, 18, 21, 24, Exhibit
List, and Exhibits V-1, V-2, V-3, V-4, V-11, V-16, V-21,
V-22, V-24, V-26, V-32
PUBLIC VERSION

Re: *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam: Petitions for the Imposition of Antidumping and Countervailing Duties*

Dear Secretary Raimondo and Secretary Barton:

On behalf of The American Alliance for Solar Manufacturing Trade Committee (“the Committee”),¹ we hereby submit to the U.S. Department of Commerce (“the Department”) and the U.S. International Trade Commission (“the Commission”) petitions for the imposition of antidumping and countervailing duties on U.S. imports of crystalline silicon photovoltaic cells, whether or not assembled into modules (“c-Si PV cells and modules”), from Cambodia, Malaysia,

¹ The Committee is comprised of 4 U.S. producers of crystalline silicon photovoltaic cells and modules: Convalt Energy, First Solar, Inc., Hanwha Q CELLS USA, Inc., and Mission Solar Energy LLC.

Thailand, and the Socialist Republic of Vietnam (the “Petitions”), pursuant to sections 701, 702(b), 731, and 732(b) of the Tariff Act of 1930, as amended (the “Act”) (19 U.S.C. §§ 1671, 1671a(b), 1673 and 1673a(b)). The members of the American Alliance for Solar Manufacturing Trade Committee are producers in the United States of the domestic like product and thus the Committee is an “interested party” within the meaning of 19 U.S.C. § 1677(9)(E).²

Volume I of the petitions contains general information and the allegations of injury, along with associated exhibits. Volumes II through V contain the antidumping duty allegations and associated exhibits. Volumes VI through IX contain the countervailing duty allegations and associated exhibits. There are business proprietary and public versions of Volumes I through V. Volumes VI through IX do not contain any business proprietary information and are being submitted as public documents.

Pursuant to section 351.202(c) of the Department’s regulations, we certify that the petitions and all required copies were filed today with both the Department and the Commission. The petitions are being filed through the Department’s ACCESS electronic filing system and through the Commission’s EDIS electronic filing system.

Volume I (General Information and Injury):

- (1) **Exhibit I-33:** *Distribution costs (but not channels of distribution)* (19 C.F.R. § 351.105(c)(3)).
- (2) **Exhibits I-25, I-33:** *Terms of sale (but not terms of sale offered to the public)* (19 C.F.R. § 351.105(c)(4)).
- (3) **Pages 43, 44, and Exhibits I-24, I-33:** *Prices of individual sales, likely sales, or other offers (but not components of prices, such as transportation, if based on published schedules, dates of sale, product descriptions (other than business or trade secrets described in paragraph (c)(1) of this section), or order numbers)* (19 C.F.R. § 351.105(c)(5)).

² Individual producer members of the Committee are interested parties within the meaning of 19 U.S.C. § 1677(9)(C).

- (4) **Exhibits I-25, I-33:** *Names of particular customers, distributors, or suppliers (but not destination of sale or designation of type of customer, distributor, or supplier, unless the destination or designation would reveal the name) (19 C.F.R. § 351.105(c)(6)).*
- (5) **Pages 3, 4, 7, 23, 36, 37, 42, 44, 47, 55, Exhibit List, and Exhibits I-3, I-4, I-7, I-25, I-30, I-31, I-33, I-34:** *The names of particular persons from whom business proprietary information was obtained (19 C.F.R. § 351.105(c)(9)).*
- (6) **Pages 10, 11, 42, and Exhibits I-3, I-19:** *The position of a domestic producer or workers regarding a petition (19 C.F.R. § 351.105(c)(10)).*
- (7) **Pages 3, 4, 6, 7, 10, 11, 23, 26, 27, 36-39, 42-49, 51, 55, Exhibit List, and Exhibits I-3, I-4, I-7, I-15, I-16, I-19, I-25, I-30, I-31, I-33, I-34:** *Any other specific business information the release of which to the public would cause substantial harm to the competitive position of the submitter (19 C.F.R. § 351.105(c)(11)).*

Volume II (Cambodia AD Allegation):

- (1) **Pages 12, 16, 19, and Exhibits II-1, II-4, II-18, II-19, II-21, II-23:** *Business or trade secrets concerning the nature of a product or production process (19 C.F.R. § 351.105(c)(1)).*
- (2) **Page 23, and Exhibits II-1, II-18, II-19, II-29:** *Production costs (but not the identity of the production components unless a particular component is a trade secret) (19 C.F.R. § 351.105(c)(2)).*
- (3) **Exhibits II-4, II-11:** *Distribution costs (but not channels of distribution) (19 C.F.R. § 351.105(c)(3)).*
- (4) **Pages 3, 4, 7, 9, 10, 23, and Exhibits II-2, II-3, II-4, II-11, II-16, II-19, II-29:** *Terms of sale (but not terms of sale offered to the public) (19 C.F.R. § 351.105(c)(4)).*
- (5) **Pages 3, 10, and Exhibits II-2, II-4, II-29:** *Prices of individual sales, likely sales, or other offers (but not components of prices, such as transportation, if based on published schedules, dates of sale, product descriptions (other than business or trade secrets described in paragraph (c)(1) of this section), or order numbers) (19 C.F.R. § 351.105(c)(5)).*
- (6) **Pages 3, 9, and Exhibits II-2, II-3, II-4, II-16, II-19:** *Names of particular customers, distributors, or suppliers (but not destination of sale or designation of type of customer, distributor, or supplier, unless the destination or designation would reveal the name) (19 C.F.R. § 351.105(c)(6)).*
- (7) **Pages 1, 3-5, 10, 12, 16, 19, Exhibit List, and Exhibits II-1, II-2, II-3, II-18, II-19, II-21, II-23:** *The names of particular persons from whom business proprietary information was obtained (19 C.F.R. § 351.105(c)(9)).*
- (8) **Pages 1, 3-5, 7, 9-12, 16, 19, 23, Exhibit List, and Exhibits II-1, II-2, II-3, II-4, II-11, II-16, II-18, II-19, II-21, II-23, II-29:** *Any other specific business information the release of which to the public would cause substantial harm to the competitive position of the submitter (19 C.F.R. § 351.105(c)(11)).*

Volume III (Malaysia AD Allegation):

- (1) **Pages 12, 13, 17, 19, and Exhibits III-1, III-4, III-18, III-19, III-21, III-23:** *Business or trade secrets concerning the nature of a product or production process* (19 C.F.R. § 351.105(c)(1)).
- (2) **Page 22, and Exhibits III-1, III-18, III-19, III-28:** *Production costs (but not the identity of the production components unless a particular component is a trade secret)* (19 C.F.R. § 351.105(c)(2)).
- (3) **Page 6, and Exhibits III-4, III-11:** *Distribution costs (but not channels of distribution)* (19 C.F.R. § 351.105(c)(3)).
- (4) **Pages 4, 8-11, 22, and Exhibits III-2, III-3, III-4, III-11, III-16, III-19, III-28:** *Terms of sale (but not terms of sale offered to the public)* (19 C.F.R. § 351.105(c)(4)).
- (5) **Pages 4, 9, 11, and Exhibits III-2, III-4, III-28:** *Prices of individual sales, likely sales, or other offers (but not components of prices, such as transportation, if based on published schedules, dates of sale, product descriptions (other than business or trade secrets described in paragraph (c)(1) of this section), or order numbers)* (19 C.F.R. § 351.105(c)(5)).
- (6) **Page 3, and Exhibits III-2, III-3, III-4, III-16, III-19:** *Names of particular customers, distributors, or suppliers (but not destination of sale or designation of type of customer, distributor, or supplier, unless the destination or designation would reveal the name)* (19 C.F.R. § 351.105(c)(6)).
- (7) **Pages 1, 3, 4, 6, 10-13, 17, 19, Exhibit List, and Exhibits III-1, III-2, III-3, III-18, III-19, III-21, III-23:** *The names of particular persons from whom business proprietary information was obtained* (19 C.F.R. § 351.105(c)(9)).
- (8) **Pages 1, 3, 4, 6, 8-13, 17, 19, 22, Exhibit List, and Exhibits III-1, III-2, III-3, III-4, III-11, III-16, III-18, III-19, III-21, III-23, III-28:** *Any other specific business information the release of which to the public would cause substantial harm to the competitive position of the submitter* (19 C.F.R. § 351.105(c)(11)).

Volume IV (Thailand AD Allegation):

- (1) **Pages 16, 18, and Exhibits IV-1, IV-4, IV-18, IV-19, IV-21, IV-23:** *Business or trade secrets concerning the nature of a product or production process* (19 C.F.R. § 351.105(c)(1)).
- (2) **Page 22, and Exhibits IV-1, IV-18, IV-19, IV-29:** *Production costs (but not the identity of the production components unless a particular component is a trade secret)* (19 C.F.R. § 351.105(c)(2)).
- (3) **Exhibits IV-4, IV-11:** *Distribution costs (but not channels of distribution)* (19 C.F.R. § 351.105(c)(3)).
- (4) **Pages 3, 4, 7, 9, 10, 22, and Exhibits IV-2, IV-3, IV-4, IV-11, IV-16, IV-19, IV-29:** *Terms of sale (but not terms of sale offered to the public)* (19 C.F.R. § 351.105(c)(4)).

- (5) **Pages 3, 10, and Exhibits IV-2, IV-4, IV-29:** *Prices of individual sales, likely sales, or other offers (but not components of prices, such as transportation, if based on published schedules, dates of sale, product descriptions (other than business or trade secrets described in paragraph (c)(1) of this section), or order numbers) (19 C.F.R. § 351.105(c)(5)).*
- (6) **Pages 3, 9, and Exhibits IV-2, IV-3, IV-4, IV-16, IV-19:** *Names of particular customers, distributors, or suppliers (but not destination of sale or designation of type of customer, distributor, or supplier, unless the destination or designation would reveal the name) (19 C.F.R. § 351.105(c)(6)).*
- (7) **Pages 1, 3, 4, 10-12, 16, Exhibit List, and Exhibits IV-1, IV-2, IV-3, IV-18, IV-19, IV-21, IV-23:** *The names of particular persons from whom business proprietary information was obtained (19 C.F.R. § 351.105(c)(9)).*
- (8) **Pages 1, 3, 4, 7, 9-12, 16, 18, 22, Exhibit List, and Exhibits IV-1, IV-2, IV-3, IV-4, IV-11, IV-16, IV-18, IV-19, IV-21, IV-23, IV-29:** *Any other specific business information the release of which to the public would cause substantial harm to the competitive position of the submitter (19 C.F.R. § 351.105(c)(11)).*

Volume V (Vietnam AD Allegation):

- (1) **Pages 14, 18, and Exhibits V-1, V-21, V-22, V-24, V-26:** *Business or trade secrets concerning the nature of a product or production process (19 C.F.R. § 351.105(c)(1)).*
- (2) **Pages 21, 24, and Exhibits V-1, V-21, V-22, V-32:** *Production costs (but not the identity of the production components unless a particular component is a trade secret) (19 C.F.R. § 351.105(c)(2)).*
- (3) **Pages 4, 9, 11, and Exhibits V-4, V-11:** *Distribution costs (but not channels of distribution) (19 C.F.R. § 351.105(c)(3)).*
- (4) **Pages 4, 8, 9, 11, 24, and Exhibits V-2, V-3, V-4, V-11, V-16, V-22, V-32:** *Terms of sale (but not terms of sale offered to the public) (19 C.F.R. § 351.105(c)(4)).*
- (5) **Pages 4, 11, and Exhibits V-2, V-4, V-32:** *Prices of individual sales, likely sales, or other offers (but not components of prices, such as transportation, if based on published schedules, dates of sale, product descriptions (other than business or trade secrets described in paragraph (c)(1) of this section), or order numbers) (19 C.F.R. § 351.105(c)(5)).*
- (6) **Page 4, and Exhibits V-2, V-3, V-4, V-16, V-22:** *Names of particular customers, distributors, or suppliers (but not destination of sale or designation of type of customer, distributor, or supplier, unless the destination or designation would reveal the name) (19 C.F.R. § 351.105(c)(6)).*
- (7) **Pages 1, 4, 6, 11, 13, 14, 21, 24, Exhibit List, and Exhibits V-1, V-2, V-3, V-21, V-22, V-24, V-26:** *The names of particular persons from whom business proprietary information was obtained (19 C.F.R. § 351.105(c)(9)).*

- (8) **Pages 1, 4, 6, 8-11, 13, 14, 18, 21, 24, Exhibit List, and Exhibits V-1, V-2, V-3, V-4, V-11, V-16, V-21, V-22, V-24, V-26, V-32:** *Any other specific business information the release of which to the public would cause substantial harm to the competitive position of the submitter* (19 C.F.R. § 351.105(c)(11)).

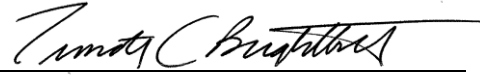
The requisite certification that substantially identical information is not available to the public is attached to this letter, in accordance with section 201.6(b)(3)(iii) of the Commission's rules. Also attached are the requisite company and counsel certifications regarding the completeness and accuracy of the information contained in the petitions.

Pursuant to 19 C.F.R. §§ 351.202(d) and 351.304 of the Department's regulations, and 19 C.F.R. § 201.6(b) of the Commission's rules, we request business proprietary treatment for the bracketed information in the narratives and exhibits of these petitions as detailed above. Disclosure of this information, which is not otherwise publicly available, would cause substantial harm to the competitive position of the submitter and would impair the ability of the Department and the Commission to obtain information in the future necessary to fulfill their statutory functions.

Pursuant to section 351.304(b)(1) of the Department's regulations, Petitioner agree in principle to permit disclosure of business proprietary information contained in these petitions under an appropriately drawn administrative protective order ("APO"). Petitioner respectfully reserve the right, however, to comment on all APO applications prior to disclosure. A public version of these petitions has been prepared and is being filed simultaneously with this submission pursuant to Commerce's regulations, 19 C.F.R. § 351.304(c)(1), and the Commission's rules, 19 C.F.R. § 201.8(d).

If you have any questions regarding this petition, please contact the undersigned.

Respectfully submitted,



Timothy C. Brightbill, Esq.
Laura El-Sabaawi, Esq.
Stephanie M. Bell, Esq.
Adam M. Teslik, Esq.
Kimberly A. Reynolds, Esq.
Paul A. Devamithran, Esq.
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*Counsel to Petitioner,
The American Alliance for Solar
Manufacturing Trade Committee*

ECONOMIC CONSULTANTS:

Richard F. DiDonna
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2050 M Street, NW
Washington, DC 20036
(202) 719-7000

COMPANY CERTIFICATION

I, Hari Achuthan, currently employed as Founder, President, and Chief Executive Officer, by Convalt Energy, certify that I prepared or otherwise supervised the preparation of the attached submission, *Petitions for the Imposition of Antidumping and Countervailing Duties Pursuant to Sections 701 and 731 of the Tariff Act of 1930, As Amended, on Imports of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam* (Investigation Nos. A-555-003, A-557-830, A-549-851, A-552-841, C-555-004, C-557-831, C-549-852, and C-552-842), dated April 24, 2024. I certify that the public information and any business proprietary information of Convalt Energy contained in this submission is accurate and complete to the best of my knowledge. I am aware that the information contained in this submission may be subject to verification or corroboration (as appropriate) by the U.S. Department of Commerce. I am also aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

Signature: *Hari Achuthan*
Hari Achuthan (Apr 15, 2024 11:58 EDT)
Hari Achuthan

Date: April 24, 2024

COMPANY CERTIFICATION

I, Jason Dymbort, currently employed as General Counsel and Secretary by First Solar, Inc., certify that I prepared or otherwise supervised the preparation of the attached submission, *Petitions for the Imposition of Antidumping and Countervailing Duties Pursuant to Sections 701 and 731 of the Tariff Act of 1930, As Amended, on Imports of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam* (Investigation Nos. A-555-003, A-557-830, A-549-851, A-552-841, C-555-004, C-557-831, C-549-852, and C-552-842), dated April 24, 2024. I certify that the public information and any business proprietary information of First Solar, Inc. contained in this submission is accurate and complete to the best of my knowledge. I am aware that the information contained in this submission may be subject to verification or corroboration (as appropriate) by the U.S. Department of Commerce. I am also aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

Signature: _____



Jason Dymbort

Date: April 24, 2024

COMPANY CERTIFICATION

I, John Kao, currently employed as Vice President and General Counsel of Hanwha Q CELLS America, Inc. and representing Hanwha Q CELLS USA, Inc., certify that I prepared or otherwise supervised the preparation of the attached submission, *Petitions for the Imposition of Antidumping and Countervailing Duties Pursuant to Sections 701 and 731 of the Tariff Act of 1930, As Amended, on Imports of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam* (Investigation Nos. A-555-003, A-557-830, A-549-851, A-552-841, C-555-004, C-557-831, C-549-852, and C-552-842), dated April 24, 2024. I certify that the public information and any business proprietary information of Hanwha Q CELLS America, Inc. and Hanwha Q CELLS USA, Inc. contained in this submission is accurate and complete to the best of my knowledge. I am aware that the information contained in this submission may be subject to verification or corroboration (as appropriate) by the U.S. Department of Commerce. I am also aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

Signature: _____



Digitally signed by
John Kao (signed
by HQCA Legal)

John Kao

Date: April 24, 2024

COMPANY CERTIFICATION

I, Grant Himes, currently employed as Counsel by Mission Solar Energy LLC, certify that I prepared or otherwise supervised the preparation of the attached submission, *Petitions for the Imposition of Antidumping and Countervailing Duties Pursuant to Sections 701 and 731 of the Tariff Act of 1930, As Amended, on Imports of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam* (Investigation Nos. A-555-003, A-557-830, A-549-851, A-552-841, C-555-004, C-557-831, C-549-852, and C-552-842), dated April 24, 2024. I certify that the public information and any business proprietary information of Mission Solar Energy LLC contained in this submission is accurate and complete to the best of my knowledge. I am aware that the information contained in this submission may be subject to verification or corroboration (as appropriate) by the U.S. Department of Commerce. I am also aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

Signature: _____


Grant Himes

Date: April 24, 2024

REPRESENTATIVE CERTIFICATION

I, Timothy C. Brightbill, with Wiley Rein LLP, counsel to The American Alliance for Solar Manufacturing Trade Committee, certify that I have read the attached submission, *Petitions for the Imposition of Antidumping and Countervailing Duties Pursuant to Sections 701 and 731 of the Tariff Act of 1930, As Amended, on Imports of Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from Cambodia, Malaysia, Thailand, and the Socialist Republic of Vietnam* (Investigation Nos. A-555-003, A-557-830, A-549-851, A-552-841, C-555-004, C-557-831, C-549-852, and C-552-842), dated April 24, 2024. In my capacity as, I certify that the information contained in this submission is accurate and complete to the best of my knowledge. I am aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

Signature: 
Timothy C. Brightbill

Date: April 24, 2024

CERTIFICATION OF COUNSEL

In accordance with section 201.6(b)(3)(iii) of the Commission's regulations, 19 C.F.R. § 201.6(b)(3)(iii), I, Timothy C. Brightbill, of Wiley Rein LLP, hereby certify that information substantially identical to the information for which we are requesting proprietary treatment in the attached submission is not available to the public.

In accordance with section 207.3(a) of the Commission's regulations, 19 C.F.R. § 207.3(a), I, further certify that (1) I have read the attached submission, and (2) the information contained in this submission is accurate and complete to the best of my knowledge.

In accordance with section 207.10(a) of the Commission's regulations, 19 C.F.R. § 207.10(a), I also certify that copies of this document are being filed with the Department of Commerce and the U.S. International Trade Commission on this date.

This certification is made in accordance with 28 U.S.C. § 1746. I declare under penalty of perjury of the laws of the United States of America that the foregoing statements are true and correct to the best of my information and belief



Timothy C. Brightbill

Dated: April 24, 2024