

contain a table of authorities. Citations to Commerce determinations and court decisions should include the page number where cited information appears. In preparing the briefs, please begin each issue on a separate page. In accordance with 19 CFR 353.38(b), we will hold a public hearing, if requested, to give interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. Tentatively, the hearing will be held on May 2, 1995, at 10:00 a.m. at the U.S. Department of Commerce, Room 1414, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. Parties should confirm the time, date, and place of the hearing 48 hours before the scheduled time.

Interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room B-099, within ten days of the publication of this notice in the **Federal Register**. Requests should contain: (1) The party's name, address, telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. In accordance with 19 CFR 353.38(b), oral presentations will be limited to the issues raised in the briefs.

This determination is published pursuant to section 733(f) of the Act (19 U.S.C. 1673b(f)) and 19 CFR 353.15(a)(4).

Dated: January 26, 1995.

**Susan G. Esserman,**  
*Assistant Secretary for Import Administration.*

[FR Doc. 95-2610 Filed 2-1-95; 8:45 am]

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[A-588-835]

**Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Oil Country Tubular Goods From Japan**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**EFFECTIVE DATE:** February 2, 1995.

**FOR FURTHER INFORMATION CONTACT:** John Beck or Stuart Schaag, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C., 20230; telephone (202) 482-3464 or (202) 482-0192, respectively.

**Preliminary Determination**

We preliminarily determine that oil country tubular goods (OCTG) from Japan are being, or are likely to be, sold in the United States at less than fair value, as provided in section 733(b) of the Tariff Act of 1930, as amended (the Act) (19 U.S.C. 1673b).

**Case History**

Since the initiation of this investigation on July 20, 1994 (59 FR 37962, July 26, 1994), the following events have occurred.

On August 15, 1994, the U.S. International Trade Commission (ITC) issued an affirmative preliminary determination.

In August 1994, the Department requested information regarding manufacturers or exporters of the subject merchandise from the Japanese Ministry of International Trade and Industry (MITI). MITI informed the Department that Nippon Steel Corporation (Nippon) and Sumitomo Metal Industries, Ltd. (Sumitomo) were the main exporters of the subject merchandise, accounting for over 60 percent of Japanese exports to the United States. On August 30, 1994, the Department selected Nippon and Sumitomo as the mandatory respondents in this investigation. These two companies account for at least 60 percent of exports of OCTG from Japan during the period of investigation.

On August 31, 1994, the Import Administration's attaché in Tokyo informed us that Nippon and Sumitomo requested a questionnaire presentation. This questionnaire presentation took place in September 1994, at the MITI office in Tokyo.

On September 21, 1994, Nippon and Sumitomo informed the Department that, due to the complex and burdensome requirements of the Department's questionnaire, they were withdrawing from the investigation.

On November 10, 1994, Koppel Steel Corporation and U.S. Steel Group (a unit of USX Corporation) (the petitioners), timely requested that the Department postpone the preliminary determination, in accordance with section 733(c)(1) of the Act (19 U.S.C. 1673b(c)(1)), and 19 CFR 353.15(c). We did so on November 15, 1994 (59 FR 60130, November 22, 1994).

On January 11, 1995, in accordance with 19 CFR 353.20(b), Sumitomo requested that, due to the complex legal and factual issues in this investigation, the Department postpone the final determination. Nippon made a similar request on January 13, 1995.

**Scope of Investigation**

For purposes of this investigation, OCTG are hollow steel products of circular cross-section, including oil well casing, tubing, and drill pipe, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded, whether or not conforming to American Petroleum Institute (API) or non-API specifications, whether finished or unfinished (including green tubes and limited service OCTG products). This scope does not cover casing, tubing, or drill pipe containing 10.5 percent or more of chromium. The OCTG subject to this investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers:

7304.20.10.00, 7304.20.10.10, 7304.20.10.20, 7304.20.10.30, 7304.20.10.40, 7304.20.10.50, 7304.20.10.60, 7304.20.10.80, 7304.20.20.00, 7304.20.20.10, 7304.20.20.20, 7304.20.20.30, 7304.20.20.40, 7304.20.20.50, 7304.20.20.60, 7304.20.20.80, 7304.20.30.00, 7304.20.30.10, 7304.20.30.20, 7304.20.30.30, 7304.20.30.40, 7304.20.30.50, 7304.20.30.60, 7304.20.30.80, 7304.20.40.00, 7304.20.40.10, 7304.20.40.20, 7304.20.40.30, 7304.20.40.40, 7304.20.40.50, 7304.20.40.60, 7304.20.40.80, 7304.20.50.10, 7304.20.50.15, 7304.20.50.30, 7304.20.50.45, 7304.20.50.50, 7304.20.50.60, 7304.20.50.75, 7304.20.60.10, 7304.20.60.15, 7304.20.60.30, 7304.20.60.45, 7304.20.60.50, 7304.20.60.60, 7304.20.60.75, 7304.20.70.00, 7304.20.80.00, 7304.20.80.30, 7304.20.80.45, 7304.20.80.60, 7305.20.20.00, 7305.20.40.00, 7305.20.60.00, 7305.20.80.00, 7306.20.10.30, 7306.20.10.90, 7306.20.20.00, 7306.20.30.00, 7306.20.40.00, 7306.20.60.10, 7306.20.60.50, 7306.20.80.10, and 7306.20.80.50

Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this investigation is dispositive.

**Period of Investigation**

The period of investigation (POI) is January 1, 1994, to June 30, 1994.

**Applicable Statute and Regulations**

Unless otherwise indicated, all citations to the Statute and to the Department's regulations are in reference to the provisions as they existed on December 31, 1994.

*Best Information Available*

We have determined, in accordance with section 776(c) of the Act (19 U.S.C. 1677e(c)), that the use of best information available (BIA) is appropriate for sales of the subject merchandise in this investigation. In deciding whether to use BIA, section 776(c) provides that the Department shall use BIA when a respondent refuses to produce information requested in a timely manner and in the form required. In this case, exporters of OCTG from Japan declined to respond to our requests for information.

In determining what to use as BIA, the Department follows a two-tiered methodology, whereby the Department normally assigns lower margins to those respondents who cooperate in an investigation, and margins based on more adverse assumptions for those respondents who do not cooperate in an investigation. Given that neither Nippon nor Sumitomo responded to the Department's questionnaire, we find that they have not cooperated in this investigation. In accordance with our BIA methodology for uncooperative respondents, we have assigned these non-responsive companies the highest margin alleged in the petition (see, Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from the Federal Republic of Germany: Final Determination of Sales at Less Than Fair Value (54 FR 18992, 19033, May 3, 1989)).

The Department's two-tier methodology for assigning BIA based on the degree of the respondents' cooperation has been upheld by the U.S. Court of Appeals for the Federal Circuit (see *Allied-Signal Aerospace Co. v. the United States*, Slip Op. 93-1049 (Fed Cir. June 22, 1993); see also *Krupp Stahl AG. et. al. v. the United States*, Slip Op. 93-84 (CIT May 26, 1993)).

*Suspension of Liquidation*

In accordance with section 733(d)(1) of the Act (19 U.S.C. 1673b(d)(1)), we are directing the Customs Service to suspend liquidation of all entries of OCTG from Japan, as defined in the "Scope of Investigation" section of this notice, that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. The Customs Service shall require a cash deposit or posting of a bond equal to the estimated preliminary dumping margin, as shown below. The suspension of liquidation will remain in effect until further notice.

Weighted-Average	Manufacturer/Producer/Exporter Margin Percent
Nippon Steel Corporation .....	44.20
Sumitomo Metal Industries, Ltd.	44.20
All Others .....	44.20

*Postponement of Final Determination*

As stated above, both Sumitomo and Nippon requested that the Department postpone the final determination. We find no compelling reason to deny these requests. Accordingly, we are postponing the date of the final determination until not later than 135 days after the date of publication of this notice in the **Federal Register**.

*ITC Notification*

In accordance with section 733(f) of the Act (19 U.S.C. 1673b(f)), we have notified the ITC of our preliminary determination.

If our final determination is affirmative, the ITC will determine whether these imports are materially injuring, or threaten material injury to, the U.S. industry before the later of 120 days after the date of this preliminary determination or 45 days after our final determination.

*Public Comment*

In accordance with 19 CFR 353.38, case briefs or other written comments in at least ten copies must be submitted to the Assistant Secretary for Import Administration by no later than April 21, 1995, and rebuttal briefs by no later than April 28, 1995. We request that parties in this case provide an executive summary of no more than two pages in conjunction with case briefs on the major issues to be addressed. Further, briefs should contain a table of authorities. Citations to Commerce determinations and court decisions should include the page number where cited information appears. In preparing the briefs, please begin each issue on a separate page. In accordance with 19 CFR 353.38(b), we will hold a public hearing, if requested, to give interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. Tentatively, the hearing will be held on May 3, 1995, at 10:00 a.m. at the U.S. Department of Commerce, Room 1414, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. Parties should confirm by telephone, the time, date, and place of the hearing 48 hours before the scheduled time.

Interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of

Commerce, Room B-099, within ten days of the publication of this notice in the **Federal Register**. Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. In accordance with 19 CFR 353.38(b), oral presentations will be limited to issues raised in the briefs.

This notice is published pursuant to section 733(f) of the Act (19 U.S.C. 1673b(f)) and 19 CFR 353.15(a)(4).

Dated: January 25, 1995.

**Paul L. Joffe,**

*Deputy Assistant Secretary for Import Administration.*

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[A-580-825]

**Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Oil Country Tubular Goods From Korea**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**EFFECTIVE DATE:** February 2, 1995.

**FOR FURTHER INFORMATION CONTACT:** John Beck or Jennifer Stagner, Office of Antidumping Investigations, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-3464 or (202) 482-1673, respectively.

**Preliminary Determination**

We preliminarily determine that oil country tubular goods (OCTG) from Korea are being, or are likely to be, sold in the United States at less than fair value, as provided in section 733(b) of the Tariff Act of 1930, as amended (the Act). The estimated margins are shown in the "Suspension of Liquidation" section of this notice.

*Case History*

Since the initiation of this investigation on July 20, 1994 (59 FR 37962, July 26, 1994), the following events have occurred.

On August 15, 1994, the U.S. International Trade Commission (ITC) issued an affirmative preliminary determination.

On August 26, 1994, the Department determined that Hyundai Steel Pipe Company, Ltd. (HSP) and Union Steel Manufacturing Company, Ltd. (Union), Korean exporters of the subject merchandise, were the appropriate recipients of the antidumping duty questionnaire. These two companies