Summary:
On August 18, 2009, the Department initiated the CVD investigation of Bricks from the PRC and the AD investigations of Bricks from the PRC and Mexico. See Certain Magnesia Carbon Bricks from the People’s Republic of China: Initiation of Countervailing Duty Investigation, 74 FR 42858 (August 25, 2009) and Certain Magnesia Carbon Bricks from the People’s Republic of China and Mexico: Initiation of Antidumping Duty Investigation, 74 FR 42852 (August 25, 2009). The CVD investigation and the AD investigations have the same scope with regard to the merchandise covered. On December 23, 2009, the Department published its preliminary CVD determination. See Certain Magnesia Carbon Bricks From the People’s Republic of China: Preliminary Negative Countervailing Duty Determination, 74 FR 68241 (December 23, 2009) (CVD Preliminary Determination). On January 7, 2010, Petitioner submitted a letter, in accordance with section 705(a)(1) of the Act, requesting alignment of the final CVD determination with the final AD determinations of Bricks from the PRC and Mexico. In the letter, Petitioner acknowledges that it missed the regulatory deadline for filing the request and explained the extenuating circumstances. Petitioner goes on to state that under these extenuating circumstances, the Department should accept its belated request for alignment.

Alignment of the CVD Final Determination With the Final AD Determinations
According to 19 CFR 351.210(i), a petitioner must submit a written request to postpone the final CVD determination to the date of final determination in a companion AD investigation within five days of the date of publication of the preliminary CVD determination. However, because the five-day deadline is not a statutory deadline, the Department has discretion, pursuant to 19 CFR 351.302(b), to extend the deadline for filing an alignment request. The Department has decided to accept Petitioner’s belated request to align the final CVD determination with the final AD determinations. The alignment of the final determination in this CVD investigation will ensure that the Department can thoroughly analyze the complicated and novel issues, which have arisen. In addition, the alignment will allow interested parties adequate time to comment on the Department’s analyses. Therefore, in accordance with 19 CFR 351.302(b), we are hereby extending the deadline for filing the alignment request and, in accordance with section 705(a)(1) of the Act, we are aligning the final CVD determination with the final AD determinations in the companion AD investigations. Consequently, the final CVD determination will be issued on the same date as the final AD determinations, which are currently scheduled to be issued no later than May 10, 2010, unless the final AD determinations are extended.

This determination is issued and published pursuant to Section 705(a)(1) of the Act.

Dated: January 22, 2010.
Ronald K. Lorentzen,
Deputy Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
RIN 0648–XU02
Endangered and Threatened Species: Notice of Intent to Prepare a Recovery Plan for Cook Inlet Beluga Whales

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of Intent to prepare recovery plan; request for information.