

6. Dart Global Logistics Pvt.
7. Dongguan Good Luck Furniture Industrial Co., Ltd.
8. Dongguan Good Luck Industrial Co., Ltd.
9. Expeditors International
10. G I Auto Private
11. G.I. Auto Pvt. Ltd.
12. Hilton Metal Forging Limited
13. Jai Auto Pvt. Limited
14. Jay Jagdamba Limited
15. Katariya Steel Distributors
16. Kisaan Die Tech Pvt Ltd.
17. Pradeep Metals Limited
18. Rajan Techno Cast
19. Rajan Techno Cast Pvt. Ltd.
20. Shree Jay Jagdamba Flanges Private Limited
21. Transworld Enterprises

[FR Doc. 2023-04666 Filed 3-6-23; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-074]

Common Alloy Aluminum Sheet From the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review; 2021

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies were provided to producers and exporters of common alloy aluminum sheet (CAAS) from the People's Republic of China (China) during the period of review (POR), January 1, 2021, through December 31, 2021. We invite interested parties to comment on these preliminary results.

DATES: Applicable March 7, 2023.

FOR FURTHER INFORMATION CONTACT: James R. Hepburn or Scarlet K. Jaldin, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1882 or (202) 482-4275, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 12, 2022, Commerce published in the **Federal Register** a notice of initiation of an administrative review of the countervailing duty order on CAAS from China with respect to three companies.¹ On September 30, 2022, Commerce extended the deadline for completion of these preliminary results until no later than February 28, 2023.²

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.³ A list of topics discussed in the Preliminary Decision Memorandum is included as the appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Scope of the Order

The product covered by the *Order* is CAAS from China. For a complete description of the scope of this *Order*, *see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this administrative review in accordance with section 751(a)(1)(A) of the Tariff

¹ *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 87 FR 21619, 21635 (April 12, 2022); *see also Common Alloy Aluminum Sheet from the People's Republic of China: Countervailing Duty Order*, 84 FR 2157 (February 6, 2019) (*Order*).

² *See* Memorandum, "Extension of the Deadline for Preliminary Results of Countervailing Duty Administrative Review; 2021," dated September 30, 2022.

³ *See* Memorandum, "Decision Memorandum for the Preliminary Results of the Countervailing Duty Administrative Review: Common Alloy Aluminum Sheet from the People's Republic of China; 2021," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

Act of 1930, as amended (the Act). For each of the subsidy programs preliminarily found to be countervailable, we preliminarily determine that there is a subsidy, *i.e.*, a financial contribution from an authority that gives rise to a benefit to the recipient and that the subsidy is specific.⁴ For a full description of the methodology underlying our preliminary results, including our reliance, in part, on facts available with adverse inferences pursuant to sections 776(a) and (b) of the Act, *see* the Preliminary Decision Memorandum.

In making these findings, Commerce relied, in part, on facts available and, because the Government of China (GOC) did not respond to the Initial Questionnaire,⁵ Commerce finds that the GOC did not provide necessary information, as requested. On that basis, Commerce determines that the GOC did not act to the best of its ability to respond to Commerce's request for information and, therefore, in reaching these preliminary results of review, we drew an adverse inference where appropriate in selecting from among the facts otherwise available. For further information, *see* the "Use of Facts Otherwise Available and Application of Adverse Inferences" section in the Preliminary Decision Memorandum.

Preliminary Results of Review

In accordance with 19 CFR 351.221(b)(4)(i), Commerce calculated a countervailable subsidy rate for the mandatory respondents that are identified below. Because there are no other producers or exporters subject to this review and not selected for individual examination (*i.e.*, non-selected companies), Commerce does not need to establish a rate for such companies in this review.

⁴ *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

⁵ *See* Commerce's Letter, "Countervailing Duty Questionnaire," dated July 13, 2022 (Initial Questionnaire).

Commerce preliminarily determines the net countervailable subsidy rates for the period January 1, 2021, through December 31, 2021, are as follows:

Company	Subsidy rate (percent <i>ad valorem</i>)
<i>Alcha International Holdings Limited; Jiangsu Alcha Aluminium Group Co., Ltd., and Jiangsu Alcha Aluminum Group Co., Ltd.</i> (both formally known as <i>Jiangsu Alcha Aluminium Co., Ltd.</i> or <i>Jiangsu Alcha Aluminum Co., Ltd.</i>), ⁶ <i>Baotou Alcha Aluminium Co., Ltd., Baotou Alcha Aluminum Co., Ltd., Baotou Alcha North Aluminum Co., Ltd., and Baotou Changlv Northern Aluminium Industry Co., Ltd.</i> ; ⁷ and <i>Jiangsu Alcha New Energy Materials Co., Ltd.</i> ⁸	10.88
<i>Yinbang Clad Material Co., Ltd.</i>	11.97

Assessment Rates

In accordance with 19 CFR 351.221(b)(4)(i), we preliminarily assigned subsidy rates in the amounts for the producers/exporters shown above. Upon completion of the administrative review, consistent with section 751(a)(1) of the Act and 19 CFR

⁶ We initiated this review on Jiangsu Alcha Aluminium Co., Ltd. However, it was reported that “Jiangsu Alcha Aluminium Co., Ltd.” also known as “Jiangsu Alcha Aluminum Co., Ltd.” legally changed its name to “Jiangsu Alcha Aluminium Group Co., Ltd.” on May 21, 2019. It was also reported that both “Jiangsu Alcha Aluminium Group Co., Ltd.” and “Jiangsu Alcha Aluminum Group Co., Ltd.” refer to the same entity. Accordingly, we intend to treat “Jiangsu Alcha Aluminium Group Co., Ltd.” and “Jiangsu Alcha Aluminum Group Co., Ltd.” (formally known as “Jiangsu Alcha Aluminium Co., Ltd.” or “Jiangsu Alcha Aluminum Co., Ltd.”) as one entity (Jiangsu Alcha). For further discussion, see the Preliminary Decision Memorandum at section “II. Background.”

⁷ It was reported that although the legal name for one of Jiangsu Alcha’s subsidiaries is “Baotou Alcha Aluminium Co., Ltd.” other names (*i.e.*, “Baotou Alcha Aluminum Co., Ltd.” “Baotou Alcha North Aluminum Co., Ltd.” and “Baotou Changlv Northern Aluminium Industry Co., Ltd.”) also refer to the same entity due to different English translations of its Chinese-language name. Accordingly, we intend to treat “Baotou Alcha Aluminium Co., Ltd.” “Baotou Alcha Aluminum Co., Ltd.” “Baotou Alcha North Aluminum Co., Ltd.” and “Baotou Changlv Northern Aluminium Industry Co., Ltd.” as one entity (Baotou Alcha). For further discussion, see the Preliminary Decision Memorandum at section “II. Background.”

⁸ We preliminarily find that Baotou and Jiangsu Alcha New Energy Materials Co., Ltd. are cross-owned with Jiangsu Alcha. In addition, Alcha International is wholly owned by Jiangsu Alcha. For further discussion, See Preliminary Decision Memorandum at section “B. Attribution of Subsidies” under “V. Subsidies Valuation.”

351.212(b)(2), Commerce shall determine, and CBP shall assess, countervailing duties on all appropriate entries covered by this review. With regard to Jiangsu Alcha, we intend to instruct CBP to assess countervailing duties on all appropriate entries covered by this review under both its old and new names (*i.e.*, “Jiangsu Alcha Aluminium Group Co., Ltd.” “Jiangsu Alcha Aluminum Group Co., Ltd.” “Jiangsu Alcha Aluminium Co., Ltd.” and “Jiangsu Alcha Aluminum Co., Ltd.” Concerning Baotou Alcha, we intend to instruct CBP to assess countervailing duties on all appropriate entries covered by this review for all of its names identified in this notice. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**.

If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Cash Deposit Rates

Pursuant to section 751(a)(1) of the Act, Commerce intends, upon publication of the final results, to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts indicated for the producers/exporters listed above on shipments of subject merchandise entered or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. With regard to Jiangsu Alcha, we intend to instruct CBP to collect cash deposits of estimated countervailing duties under its new names (*i.e.*, “Jiangsu Alcha Aluminium Group Co., Ltd.” “Jiangsu Alcha Aluminum Group Co., Ltd.”). Concerning Baotou Alcha, we intend to instruct CBP to collect cash deposits of estimated countervailing duties under all of its names identified in this notice. If the rate calculated in the final results is zero or *de minimis*, no cash deposit will be required on shipments of the subject merchandise entered or withdrawn from warehouse, for consumption on or after the date of publication of final results of this review. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure and Public Comment

Commerce will disclose to interested parties the calculations performed for these preliminary results within five days of the date of publication of this

notice.⁹ Interested parties may submit case briefs no later than 30 days of publication of the preliminary results of review.¹⁰ Rebuttals to case briefs may be filed no later than seven days after the case briefs.¹¹ An electronically-filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the established deadline. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.¹² Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case or rebuttal briefs in this review are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.¹³

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance within 30 days of the publication date of this notice.¹⁴ Requests should contain: (1) the party’s name, address, and telephone number; (2) the number of participants and whether an participant is a foreign national; and (3) a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Unless the deadline is extended, we intend to issue the final results of this administrative review, which will include our analysis of the issues raised in the case briefs, within 120 days after the date of publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Notification to Interested Parties

These preliminary results are issued and published pursuant to sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

⁹ See 19 CFR 351.224(b).

¹⁰ See 19 CFR 351.309(c).

¹¹ See 19 CFR 351.309(d).

¹² See also *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 17006 (May 18, 2020); and *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

¹³ See 19 CFR 351.309(c)(1)(ii) and 351.309(d)(1).

¹⁴ See 19 CFR 351.310(c).

Dated: February 28, 2023.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary

II. Background

III. Scope of the *Order*

IV. Diversification of China's Economy

V. Subsidies Valuation

VI. Interest Rate Benchmarks, Discount Rates, and Benchmarks for Measuring Adequacy of Remuneration

VII. Use of Facts Otherwise Available and Application of Adverse Inferences

VIII. Analysis of Programs

IX. Recommendation

[FR Doc. 2023-04569 Filed 3-6-23; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-010, C-570-011]

Crystalline Silicon Photovoltaic Products From the People's Republic of China: Preliminary Results of Changed Circumstances Reviews, and Intent To Revoke the Antidumping and Countervailing Duty Orders, in Part

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

SUMMARY: On August 8, 2022, the U.S. Department of Commerce (Commerce) received a request for revocation, in part, of the antidumping duty (AD) and countervailing duty (CVD) orders on crystalline silicon photovoltaic products (solar products) from the People's Republic of China (China), from Shenzhen Hello Tech Energy Co., Ltd. (Hello Tech) with respect to certain off-grid small portable crystalline silicon photovoltaic (CSPV) panels as described below. We preliminary determine to revoke, in part, the solar products AD and CVD orders with respect to these products. Interested parties are invited to comment on these preliminary results.

DATES: Applicable March 7, 2023.

FOR FURTHER INFORMATION CONTACT: Daniel Alexander, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4313.

SUPPLEMENTARY INFORMATION:

Background

On February 18, 2015, Commerce published the AD and CVD orders on solar products from China.¹ On August 8, 2022, Hello Tech, a Chinese producer and exporter of subject merchandise, requested that Commerce conduct changed circumstances reviews (CCR) to find that it is appropriate to revoke the *Orders*, in part, with respect to certain off-grid small portable CSPV panels, pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216(b).² Hello Tech's CCR request included a letter from the American Alliance for Solar Manufacturing (the Alliance) (a coalition of domestic producers of solar cells), which stated that the Alliance did not oppose Hello Tech's request for changed circumstances reviews and its proposed exclusion language.³ On September 29, 2022, we published the notice of initiation of the requested CCRs.⁴ In the *Initiation Notice* we invited interested parties to provide comments and/or factual information regarding these CCRs, including comments on industry support and the proposed partial revocation language.⁵ We received no comments or factual information.

Scope of the Orders

The merchandise covered by these *Orders* is modules, laminates and/or panels consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including building integrated materials. For purposes of these *Orders*, subject merchandise includes modules, laminates and/or panels assembled in China consisting of crystalline silicon photovoltaic cells produced in a customs territory other than China. Subject merchandise includes modules, laminates and/or panels assembled in China consisting of crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means,

whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Excluded from the scope of the *Orders* are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS). Also excluded from the scope of these *Orders* are modules, laminates and/or panels assembled in China, consisting of crystalline silicon photovoltaic cells, not exceeding 10,000 mm² in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated crystalline silicon photovoltaic cells. Where more than one module, laminate and/or panel is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all modules, laminates and/or panels that are integrated into the consumer good.

Further, also excluded from the scope of these *Orders* are any products covered by the existing antidumping and countervailing duty orders on crystalline silicon photovoltaic cells, whether or not assembled into modules, laminates and/or panels, from China. Additionally, excluded from the scope of these *Orders* are solar panels that are: (1) less than 300,000 mm² in surface area; (2) less than 27.1 watts in power; (3) coated across their entire surface with a polyurethane doming resin; and (4) joined to a battery charging and maintaining unit (which is an acrylonitrile butadiene styrene (ABS) box that incorporates a light emitting diode (LED)) by coated wires that include a connector to permit the incorporation of an extension cable. The battery charging and maintaining unit utilizes high-frequency triangular pulse waveforms designed to maintain and extend the life of batteries through the reduction of lead sulfate crystals. The above-described battery charging and maintaining unit is currently available under the registered trademark "SolarPulse." Also excluded from the scope of these *Orders* are off-grid crystalline silicon photovoltaic panels without a glass cover with the following characteristics: (1) total power output of 500 watts or less per panel; (2) maximum surface area of 8,000 cm² per panel; (3) unit does not include a built-in inverter; (4) unit has visible parallel grid collector metallic wire lines every

¹ See *Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China: Antidumping Duty Order; and Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 80 FR 8592 (February 18, 2015) (collectively, *Orders*).

² See Hello Tech's Letter, "Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China: Hello Tech's Resubmitted Request for Changed Circumstances Reviews," dated August 8, 2022 (CCR Request).

³ *Id.* at Exhibit 7.

⁴ See *Crystalline Silicon Photovoltaic Products from the People's Republic of China: Notice of Initiation of Changed Circumstances Reviews, and Consideration of Revocation of the Antidumping and Countervailing Duty Orders in Part*, 87 FR 59043 (September 29, 2022) (*Initiation Notice*).

⁵ *Id.*, 87 FR at 59044.