

licenses. In addition, subject merchandise may not be sold below the quarterly reference prices issued by the Department.

On March 29, 2002, September 26, 2002, and October 29, 2002, the Department issued questionnaires to the GOU. The GOU submitted its responses to our March 29, 2002, September 26, 2002, and October 29, 2002 requests for information on May 13, 2002, October 14, 2002, and November 12, 2002, respectively. Our review of the information submitted by the GOU indicates that the GOU adhered to the major terms of the agreement. The GOU implemented the provisions of the Agreement through the passage of Presidential Decrees, Orders of the Ministry of Foreign Economic Relations and Trade of Ukraine, and Statute of the Cabinet of Ministers of Ukraine. See Exhibit 1 through 6 of May 13, 2002 response, and Exhibit I-3 of the October 14, 2002 and October 18, 2002 responses.

These legal enactments by the GOU established an export licensing program for all exports of CTL plate to the United States and mandated that merchandise would not be sold under the reference price. Pursuant to section VIII of the Agreement, the GOU conformed to the Agreement's monitoring requirement by timely filing semi-annual reports indicating the volume of sales of CTL plate in the home market and to third countries. It has also timely filed monthly reports on export licenses issued for sales of subject merchandise to the United States. The Agreement also stipulates the GOU must ensure compliance "by any official Ukrainian institution, chamber, or other entities authorized by the [GOU], all producers, exporters, brokers, and traders of CTL plate, and their affiliated parties, as well as independent trading companies/resellers utilized by the Ukrainian producer to make sales to the United States." The Ukrainian producers conformed to this requirement by inserting a clause in its contracts which prohibited the re-exportation of subject merchandise to the United States without the written permission of the producer and required their customers to include re-exportation cautions in contracts of further resells of the goods. See GOU's response on October 14, 2002 at 133.

Our review of the information submitted by the GOU indicates that each of the export licenses governed by the Agreement were at or above the quarterly FOB reference prices stipulated by the Agreement. Furthermore, data supplied by the GOU in its monthly reports, as well as our

independent review of import data compiled by the U.S. Customs Service, indicates Ukraine did not exceed its annual export limits. Therefore, we preliminarily determine that the GOU has been in compliance with the Agreement. We note, however, that upon further review of the record and specifically the information provided by the GOU in its November 12, 2002 submission, Azovstal reported sales made during the POR to an affiliated trading company, instead of sales to the first unaffiliated customer. Appendix B12 of the Agreement requires Azovstal to report the name and address of the first unaffiliated customer. Consequently, certain information concerning the movement expenses incurred by this affiliated trading company on sales to the first unaffiliated customer in the United States and the nature of the affiliation between Azovstal and the trading company is not on the record of this segment of the proceeding. On November 25, 2002, we sent a supplemental questionnaire to the GOU requesting the GOU to provide sales to the first unaffiliated customer, the movement expenses incurred on all sales to these customers, and to describe the nature of the affiliation between the Ukrainian producer and its affiliated trading company. If appropriate, we will use the reported movement expenses to adjust the unaffiliated customer's reported CFR unit prices to the FOB prices specified in section IV E of the Agreement. We will inform the public of our decision in a Memorandum to the File. Additionally, prior to issuing the final results of this review, we will conduct a verification in Ukraine to verify the information submitted by the GOU in this proceeding.

#### Public Comment

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room 1870, within 30 days of the date of publication of this notice. 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. At the hearing, each party may make an affirmative presentation only on issues raised in that party's case brief, and may make rebuttal presentations only on arguments included in that party's rebuttal brief. See 19 CFR 351.310(c).

Case briefs from interested parties may be submitted no later than one week after the issuance of the

verification reports. Rebuttal briefs, limited to issues raised in case briefs, may be filed not later than five days after the date of filing case briefs. Further, we would appreciate it if parties submitting written comments would provide the Department with an additional copy of the public version of any such comments on diskette. Any hearing, if requested, will be held 37 days after the date of publication or the first business day thereafter. If this review proceeds normally, the Department will publish the final results of this administrative review, including its analysis of issues raised in the case and rebuttal briefs, not later than 120 days after the date of publication of this notice.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act.

Dated: December 2, 2002.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-834]

#### **Stainless Steel Sheet and Strip in Coils From The Republic of Korea: Extension of Final Results of Antidumping Duty Administrative Review**

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

**ACTION:** Notice of extension of time limit for final results of antidumping duty administrative review.

**SUMMARY:** The Department of Commerce ("the Department") is extending the time limit for the final results of the review of stainless steel sheet and strip in coils from the Republic of Korea. This review covers the period July 1, 2000 through June 30, 2001.

**EFFECTIVE DATE:** December 9, 2002.

**FOR FURTHER INFORMATION CONTACT:** Laurel LaCivita, Enforcement Group III—Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-4243.

#### **Applicable Statute**

Unless otherwise indicated, all citations to the Tariff Act of 1930, as

amended ("the Act"), are to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act ("URAA"). In addition, unless otherwise indicated, all citations to the Department's regulations are to 19 CFR Part 351 (2001).

### Background

On August 20, 2001, the Department published a notice of initiation of this antidumping duty administrative review for the period of July 1, 2000 through June 30, 2001 (66 FR 43570). We extended the preliminary results of review by 120 days on March 6, 2002. See *Stainless Steel Sheet and Strip in Coils from Korea: Extension of Time Limits for Preliminary Results of Antidumping Duty Administrative Review*, 67 FR 10134 (March 6, 2002). We issued our preliminary results of review on August 7, 2002. See *Stainless Steel Sheet and Strip in Coils From the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review and Intent to Rescind in Part*, 67 FR 51216 (August 7, 2002). The final results of review are currently due on December 5, 2002.

### Extension of Time Limit for Final Results

Section 751(a)(3)(A) of the Act states that if it is not practicable to complete the review within the time specified, the administering authority may extend the 120-day period, following the date of publication of the preliminary results, to issue its final results by an additional 60 days. Completion of the final results within the 120-day period is not practicable for the following reasons:

- This review involves certain cross-cutting complex issues which were raised in the respondents' case briefs.
- The review involves a large number of transactions and complex adjustments.

Therefore, in accordance with section 751(a)(3)(A) of the Act, the Department is extending the time period for issuing the final results of review by 60 days until February 3, 2003.

Dated: December 2, 2002.

**Joseph A. Spetrini,**

*Deputy Assistant Secretary for Import Administration, Group III.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-122-846, C-122-848]

### Certain Durum Wheat and Hard Red Spring Wheat: Extension of Time Limit for Preliminary Determinations in Countervailing Duty Investigations

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

**ACTION:** Notice of extension of time limit for preliminary determinations in countervailing duty investigations.

**SUMMARY:** The Department of Commerce is extending the time limit of the preliminary determinations in the countervailing duty ("CVD") investigations of certain durum wheat and hard red spring wheat from December 27, 2002 until no later than March 3, 2003. This extension is made pursuant to section 703(c)(1)(B) of the Tariff Act of 1930, as amended ("The Act").

**EFFECTIVE DATE:** December 9, 2002.

**FOR FURTHER INFORMATION CONTACT:** Craig Matney, Stephen Cho, or Audrey Twyman, at (202) 482-1778, (202) 482-3798, (202) 482-3534, respectively, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

#### Extension of Due Date for Preliminary Determinations

On October 23, 2002, the Department of Commerce ("the Department") initiated the CVD investigations of certain durum wheat and hard red spring wheat from Canada. See *Notice of Initiation of Countervailing Duty Investigations: Certain Durum Wheat and Hard Red Spring Wheat*, 67 FR 65951 (October 29, 2002). Currently, the preliminary determinations are due no later than December 27, 2002. However, pursuant to section 703(c)(1)(B) of the Act, we have determined that these investigations are "extraordinarily complicated" and are, therefore, extending the due date for the preliminary determinations by 65 days to no later than March 3, 2003.

Under section 703(c)(1)(B), the Department can extend the period for reaching a preliminary determination until not later than the 130th day after the date on which the administering authority initiates an investigation if:

(B) the administering authority concludes that the parties concerned are cooperating and determines that

(i) the case is extraordinarily complicated by reason of

(I) the number and complexity of the alleged countervailable subsidy practices;

(II) the novelty of the issues presented;

(III) the need to determine the extent to which particular countervailable subsidies are used by individual manufacturers, producers, and exporters; or

(IV) the number of firms whose activities must be investigated; and

(ii) additional time is necessary to make the preliminary determination.

Regarding the first requirement, we find that in both investigations all concerned parties are cooperating. Regarding the second requirement that the investigations be extraordinarily complicated, it is the Department's position that the appropriate criterion for analysis is not the number of programs in question, but rather, the specific transactions, applied under those programs, which are numerous and appropriately categorized as "practices." With respect to the issue of the complexity of the practice, these practices are complex in nature as reflected in the extensive analysis required to address these subsidies. Furthermore, the practices present novel issues. Finally, additional time is necessary to make the preliminary determinations.

For a number of the programs in both investigations, the Department will be required to examine complicated circumstances and documents from a number of private-sector and government parties to determine whether the Government of Canada ("GOC") or provincial governments entrusted or directed private parties to provide subsidies to the Canadian Wheat Board ("CWB"). For example, the Department must analyze complicated systems used to determine whether the revenue cap system imposed by the GOC on the railroads for transporting grain provides a benefit to the CWB. In addition, the Department will be required to examine in detail the financial records of the CWB and the GOC to determine whether or not the CWB received a countervailable subsidy by virtue of a GOC guarantee on its lending and borrowing. Lastly, the respondents have requested an extension of time to respond to the Department's questionnaire because the subsidies alleged "focus on extraordinarily complicated transportation systems. Information pertaining to these systems is held by many different private sector parties, governments, and government agencies, with no one entity possessing full knowledge of all aspects of the system." See November 22, 2002, submission from the GOC at page 2. The responses