

DATE

NAME
ADDRESS

Re: **CASE NAME**

Dear **XXXX**:

I am writing to you on behalf of Import Administration, a unit of the United States Department of Commerce (“Department”). On **DATE**, we initiated an investigation in order to determine whether imports into the United States of **XXXX** from **COUNTRY** are being sold at dumped prices. Dumping occurs when imported merchandise is sold in, or for export to, the United States at less than the normal value of the merchandise. We began the investigation based on a petition filed by **XXXX** (“**PETITIONER/PETITIONERS**”), on behalf of the United States industry producing the merchandise under investigation.

On **DATE**, the United States International Trade Commission (“Commission”) preliminarily determined that there is a reasonable indication that imports of the product under investigation are injuring the United States industry. We will now determine whether sales of the subject merchandise in, or to, the United States are being dumped. If so, the Commission will decide whether those dumped imports are injuring the United States industry. If we find that sales are made at dumped prices, and the Commission finds that the dumped imports are a cause of injury, we will issue an antidumping order.

On **DATE**, we selected **NAME** as a mandatory respondent.

In past cases, the Department has treated **COUNTRY** as a non-market-economy (“NME”) country. In accordance with section 771(18)(c) of the Tariff Act of 1930, as amended (“the Act”), any determination that a foreign country is an NME shall remain in effect until revoked. Because **COUNTRY** is an NME country and normal value cannot be calculated under section 773(a) of the Act for purposes of this investigation, we will compute normal value by valuing the **COUNTRY** producer’s factors of production in a market-economy country. Specifically, section 773(c) of the Act provides that the factors of production will be valued in one or more market-economy countries (“surrogates”) that are at a level of economic development comparable to **COUNTRY** and are significant producers of comparable merchandise.

We are soliciting the information requested in the enclosed questionnaire to determine whether subject merchandise that you produced or exported was in fact sold in, or to, the United States at dumped prices. General instructions for responding to the questionnaire follow immediately

after this cover letter. We have divided the questionnaire itself into four sections (A, C, D and E), and attached supplemental information, including a glossary of terms, in Appendices I through IV. Appendix V requests that you provide certain reconciliations as part of your questionnaire response.

In Appendix VI, we are requesting that you submit spreadsheets summarizing your factors of production and market-economy purchases. You are responsible for ensuring that these spreadsheets are consistent with the accompanying narrative response and the accompanying databases submitted on electronic media. In the event of unexplained discrepancies among these items, the Department retains the authority to determine, under its discretion, the most appropriate information given the facts of the case. Appendix VI also includes a spreadsheet for suggested surrogates.

All documents submitted with your questionnaire response must be, to the maximum extent possible, direct unaltered photocopies of the original documents (*i.e.*, no copies of copies, and the documents must not be altered in any way, including tracing). In case the direct photocopy is not legible, or if submitting a direct photocopy is not possible, you must supply the most legible unaltered photocopy available. If you are not able to submit completely legible copies of all the documents required in the application, or are unable to submit a required document, you must complete the additional certification in Appendix VIII and include an explanation of why the submission of completely legible documents is not possible. In addition, you must provide supplemental information explaining the contents of any documents that are not fully legible. Illegible or altered documents cannot be considered evidence of the points for which they are required if not accompanied by the requisite certifications and explanations.

All exporters and producers are requested to respond to section A (General Information), only exporters are required to respond to section C (Sales to the United States), and only producers are required to respond to section D (Factors of Production). Companies are not currently required to respond to section E (Cost of Further Manufacturing or Assembly Performed in the United States). However, we may request a response to this section if we determine, based on the response to section A, that we require the information requested to account for further processing expenses incurred in the United States.

Exporters are required to provide the sales reconciliation requested in Appendix V, while producers are required to provide the factors-of-production reconciliation requested in Appendix V. The surrogate value spreadsheet included in Appendix VI may be completed by the exporter and filed with the questionnaire response, or later in accordance with the deadlines set forth in section 351.301(c) of the Department's regulations.

The Department presumes that a single antidumping margin is appropriate for all exporters in an NME country. The Department may, however, consider requests for separate rates from individual exporters. The appropriate questions are contained in section A of the questionnaire. The separate rates section in Section A requests information to establish whether your company's export activities are sufficiently independent of the government to be eligible for

separate rate status. Because your company was selected as a mandatory respondent in this investigation, you have several options with regard to the manner in which to support your request for a separate rate:

- 1) If you have already submitted a Separate Rate Application you may rely on that as the basis to support your request for a separate rate by stating this intention in your questionnaire response;
- 2) You may respond to the separate rate section of this questionnaire and agree to withdraw your earlier Separate Rate Application from the record of this proceeding (if you select this option, please include with your questionnaire response the letter in Appendix X of this questionnaire regarding the withdrawal of information); or
- 3) If you have not already submitted a Separate Rate Application, you must respond to the separate rate section in Section A of the attached questionnaire.

The Department may, if requested, consider whether the **XXXX** industry in **COUNTRY** is a market-oriented industry (“MOI”). Exporters that can provide evidence that the **XXXX** industry in **COUNTRY** is market oriented should immediately contact the official(s) in charge, as listed on the cover page of the questionnaire.

Please refer to the cover page and general instructions of the enclosed questionnaire for the time period covered by this review, the due dates for responding to the questionnaire, and the instructions for filing the response. We remind you that, beginning August 5, 2011, with certain, limited exceptions, all submissions for all proceedings must be filed electronically using Import Administration’s Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). An electronically filed document must be received successfully in its entirety by the Department’s electronic records system, IA ACCESS, by 5 p.m. Eastern Time (ET) on the **[DATE INDICATED ON THE COVER PAGE OF THE ENCLOSED QUESTIONNAIRE, OR STATE DATE HERE]**. Documents excepted from the electronic submission requirements must be filed manually (i.e., in paper form) with the APO/Dockets Unit in Room 1870 and stamped with the date and time of receipt by 5 p.m. ET on the due date established here within.

For your convenience, the Department has the following resources available online to assist you in complying with these electronic filing procedures:

IA ACCESS: Help Link

<https://iaaccess.trade.gov/help.aspx>

IA ACCESS: External User Guide

<https://iaaccess.trade.gov/help/IA%20ACCESS%20User%20Guide.pdf>

IA ACCESS: Handbook on Electronic Filing Procedures

<https://iaaccess.trade.gov/help/Handbook%20on%20Electronic%20Filing%20Procedures.pdf>

Federal Register notice: Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures, 76 FR 39263 (July 6, 2011)
<http://www.gpo.gov/fdsys/pkg/FR-2011-07-06/pdf/2011-16352.pdf>

Please note that the Department's certification requirements also changed, effective March 14, 2011. Additional changes regarding the certification of factual information by governments participating in a proceeding became effective on September 2, 2011. Any submissions made to the Department pursuant to proceedings initiated on or after March 14, 2011, must be accompanied by the appropriate company, government, and representative certifications (as applicable). Templates for these certifications are included as an appendix to this questionnaire. For more information refer to 76 FR 7491 (February 10, 2011) and 76 FR 54697 (September 2, 2011).

The Department must conduct this investigation in accordance with statutory and regulatory deadlines. If you are unable to respond completely to every question in the attached questionnaire by the established deadline, or are unable to provide all requested supporting documentation by the same date, you must notify the official in charge and submit a request for an extension of the deadline for all or part of the questionnaire response. If you require an extension for only part of your response, such a request should be submitted separately from the portion of your response filed under the current deadline. Statements included within a questionnaire response regarding a respondent's ongoing efforts to collect part of the requested information, and promises to supply such missing information when available in the future, do not substitute for a written extension request. Section 351.302(c) of the Department's regulations requires that all extension requests be in writing and state the reasons for the request. Any factual statements made in support of such reasons must be accompanied by the certifications required under 19 CFR 351.303(g). An extension request submitted without a proper certification for any factual information contained therein will be considered improperly filed and, as with any other improperly filed document, will not be accepted. Any extension granted in response to your request will be in writing; otherwise the original deadline will apply.

If the Department does not receive either the requested information or a written extension request before 5 p.m. ET on the established deadline, we may conclude that your company has decided not to cooperate in this proceeding. The Department will not accept any requested information submitted after the deadline. As required by section 351.302(d) of our regulations, we will reject such submissions as untimely. Therefore, failure to properly request extensions for all or part of a questionnaire response may result in the application of partial or total facts available, pursuant to section 776(a) of the Act, which may include adverse inferences, pursuant to section 776(b) of the Act.

Finally, please note that the Department's certification requirements have changed, effective March 14, 2011. Any submissions made to the Department pursuant to proceedings initiated on or after March 14, 2011, must be accompanied by the revised company, government, and representative certifications (as applicable) included in Appendix IV of this questionnaire. For more information refer to 76 FR 7491 (February 10, 2011).

Sincerely,

NAME

Program Manager
China/NME Group, Office #
Import Administration

Enclosure

UNITED STATES DEPARTMENT OF COMMERCE
IMPORT ADMINISTRATION
ANTIDUMPING AND COUNTERVAILING DUTY ENFORCEMENT

REQUEST FOR INFORMATION

COMPANY NAME
INVESTIGATION NAME

(A-**XXX-XXX**)

PERIOD OF INVESTIGATION: **DATE-DATE**

RESPONSE DUE DATE: Section A: **DATE**
Sections C & D: **DATE**

All Responses to Appendices are due with Sections C & D.

OFFICIALS IN CHARGE:

NAME

Phone: (202) 482-**XXXX**
Fax: (202) **XXX-XXXX**

EMAIL

NAME

Phone: (202) 482-**XXXX**
Fax: (202) **XXX-XXXX**

EMAIL

Return the Questionnaire Response to:

AD/CVD Operations, Office **X**
Import Administration
U.S. Department of Commerce
14th Street and Constitution Avenue, NW
Room 1870
Washington, DC 20230

Import Administration Website: <http://trade.gov/ia/index.asp>