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The Commissioner
Anti-Dumping Commission
55 Collins Street
Melbourne VIC 3000

21th September 2017

Dear Sir/Madam

**APPLICATION FOR EXEMPTION FROM DUMPING DUTIES
WIND TOWER SECTIONS - KEPPEL PRINCE ENGINEERING PTY LTD**

On behalf of Keppel Prince Engineering Pty. Ltd. I hereby wish to request an Exemption from Anti-Dumping Duties for certain steel wind tower sections.

APPLICANT

Keppel Prince Engineering Pty Ltd
ABN 62 004 727 619
184 Darts Road
Portland, Victoria, 3305
Telephone : 03 5523 8888

CONTACT PERSON – KEPPEL PRINCE

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Engineering and Estimations Manager
Reception: (03) 5523 8888
Direct Ph: (03) 5523 8807
Mobile: 0488 450 088
Email: **CONFIDENTIAL**

PERSON LODGING APPLICATION AND CONTACT

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Customs Adviser
Geodis Australia Pty. Ltd.

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APPLICANTS INTEREST AS AN AFFECTED PARTY

Keppel Prince is a manufacturer of steel wind tower sections in Australia using Bluescope steel.
Bluescope Steel is a manufacturer of steel in Australia.
Keppel Prince was also a co-applicant in relation to these particular Dumping and Countervailing Measures.

OTHER PARTIES

Crisp Brothers and Hayward Pty Ltd trading as
Haywards Steel Fabrication & Construction
ACN 009 483 694

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1 Boral Road
Western Junction TAS 7212
Telephone : (03) 6391 8508

BlueScope Steel Pty Ltd

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Manager, International Trade Affairs Level 2
Sirius Building
Five Islands Rd, Port Kembla NSW 2505
Telephone : 02 4240 1201
Email **CONFIDENTIAL**

There are no other parties known to have an interest in this particular Exemption Application. No parties objected to the granting of the TCO which is the basis for this Application. Haywards Steel Fabrication & Construction were the co-applicant in relation to the Dumping Application. And do not object to the granting of the TCO as per the attached letter.

GROUNDINGS FOR EXEMPTION

Under the Customs Tariff (Anti-Dumping) Act 1975, The Minister may, by notice in writing exempt goods from Dumping Duty [paragraphs 8(7)(b)] and countervailing duty [paragraph 10(8)(aa)] where a Tariff Concession Order (TCO) in respect of the goods is in force.

Exemptions

(7) The Minister may, by notice in writing, exempt goods from interim dumping duty and dumping duty if he or she is satisfied:

(b) that a Tariff Concession Order under Part XVA of the Customs Act 1901 in respect of the goods is in force;

(8) The Minister may, by notice in writing, exempt goods from interim countervailing duty or countervailing duty if he or she is satisfied:

(aa) that a Tariff Concession Order under Part XVA of the Customs Act 1901 in respect of the goods is in force.

TC 1761480 Operative Date 09.06.2017 is in force for the goods subject to this Application.



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KNOWN AUSTRALIAN MANUFACTURERS

There are no known manufacturers of the goods subject to this Exemption Application other than the Applicant Keppel Prince Engineering Pty Ltd and Haywards Steel Fabrication and Construction.

CURRENT MEASURES

Report Number 221
Anti-Dumping Notice No 2014/33
Anti-Dumping Notice No 2013/68
Preliminary Affirmative Determination Number 221 (PAD 221)
Statement of Essential Fact No. 221 (SEF 221)
Dumping Commodity Register – Wind Towers

DESCRIPTION OF GOODS SUBJECT TO MEASURES

The ‘description of goods’ subject to measures are:
Certain utility scale wind towers, whether or not tapered, and sections thereof (whether exported assembled or unassembled), and whether or not including an embed being a tower foundation section. Wind turbines that have electrical power generation capacities equal to or in excess of 1.00 megawatt (MW) and with a minimum height of 50 metres measured from the base of the tower to the bottom of the nacelle (i.e. where the top of the tower and nacelle are joined) when fully assembled. A wind tower section consists of, at a minimum, multiple steel plates rolled into cylindrical or conical shapes and welded together (or otherwise attached) to form a steel shell, regardless of coating, end-finish, painting, treatment or method of manufacture, and with or without flanges, doors, or internal or external components (e.g., flooring/decking, ladders, lifts, electrical junction boxes, electrical cabling, conduit, cable harness for nacelle generator, interior lighting, tool and storage lockers) attached to the wind tower section.

The following descriptions are excluded from measures, exemption type “GOODS” applies: Nacelles and rotor blades, regardless of whether they are attached to the wind tower.
Any internal or external components which are not attached to the wind towers or sections thereof.

Goods subject to measures should be classified using the tariff sub-headings and associated statistical codes below:

Tariff subheading	Statistical code
7308.20.00	03, 04
7308.90.00	52, 53, 54, 55, 56, 63, 65
8502.31.10	31

COUNTRIES SPECIFIED IN DUMPING AND COUNTERVAILING MEASURES

Exported from the People’s Republic of China and the Republic of Korea

EXPORTERS SPECIFIED

As listed in in the Dumping Commodity Register.



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DATE MEASURES IMPOSED

16th April 2014

**REASONS FOR SEEKING EXEMPTION
DETAILED DESCRIPTION OF GOODS**

Tariff Classification 7308.90.00

SECTIONS, WIND GENERATOR TOWER, having ALL of the following:

- (a) plate steel having a thickness of NOT less than 33 mm and NOT greater than 60 mm
 - (b) individual section length NOT less than 14 100 mm AND NOT greater than 16 250 mm;
 - (c) individual section weight NOT less than 60 metric tonnes and NOT greater than 105 metric tonnes;
 - (d) diameter greater NOT less than 4 299 mm and NOT greater than 4 650 mm
- Op. 09.06.17 - TC 1761480

Stated Use:

Base sections for a wind generator tower

As specified in TC 1761480 Operative Date 09.06.17 Declaration Date 14.09.17

CONDITIONS THAT PROVIDE GROUNDS TO MAKE EXEMPTION

Substitutable goods are not manufactured in Australia.

The Applicant was the Applicant in relation to TCO 1761480.

The Applicant met the requirements of Section 269FA of the Customs Act 1901 in relation to this TCO. There was no Objection to the granting of this TCO

The other Applicant for Dumping Measures does not object to the granting of such an Exemption.

The Application for Exemption from Dumping Duties is hereby submitted for your consideration. Should you have any questions or require any clarification in relation to this Application please do not hesitate to contact me on 0405736732.

Yours Sincerely

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Customs and Tariff Adviser
Geodis Australia Pty. Ltd.
On behalf of Keppel Prince Engineering Pty. Ltd.



Australian Government
Department of Immigration
and Border Protection

Reply to Comptroller General of Customs

Quote: TC 1761480
Your Ref:

Department of Immigration &
Border Protection
PO Box 25
Belconnen ACT 2616
Ph: (02) 6198 7289
Fax: (02) 6198 7203
Email: tarcon@border.gov.au

14 September 2017

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GEODIS WILSON AUSTRALIA PTY LTD

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Dear **CONFIDENTIAL**

TARIFF CONCESSION SYSTEM
APPLICATION SUCCESSFUL

I refer to your application for Tariff Concession Order (TCO) Number TC 1761480 lodged on 9 June 2017.

As a delegate of Comptroller-General of Customs I am satisfied that the application meets the core criteria on the basis of section 269C of the *Customs Act 1901* and have accordingly made a written Tariff Concession Order.

The decision to make a TCO will be published in Gazette Number TC17/40 of 20 September 2017.

The TCO, as detailed in the attachment, will also be published in the Schedule of Concessional Instruments as soon as possible.

Yours sincerely,

Terrie-Louise Scott

Delegate of the Comptroller-General of Customs

Ref: 039-17

29th May 2017

GEODIS

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Attention:

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Re: Application for a Tariff Concession Order

Dear

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We acknowledge receipt of your letter regarding an intended application for a TCO by Keppel Prince Engineering Pty Ltd. Thank you for advising us on this matter.

We fully understand the basis of this TCO for a certain category of wind generator tower section and we confirm that our company, Crisp Bros. & Haywards Pty Ltd, trading as Haywards Steel Fabrication and Construction, are not able to fabricate sections described due to constraints with workshop capacity and plate forming equipment.

We are not aware of any other fabricators in Australia with the ability to manufacture these sections.

We trust this information meets with your requirements, however if you have any queries or require any further information, then please do not hesitate to contact us.

Yours sincerely,

CONFIDENTIAL

PO Box 47, Kings Meadows TAS 7249
CRISP BROS. & HAYWARDS PTY LTD