



AUSTRALIAN INDUSTRY
GROUP

NON-CONFIDENTIAL

International Trade Remedies Advisor
20 Queens Road
MELBOURNE VIC 3004
T: 03 9867 0267 F: 03 9867 0157

28 February 2014

Director, Operations 1
Australian Anti-Dumping Commission
Customs House
5 Constitution Avenue
CANBERRA ACT 2601

BY EMAIL operations1@adcommission.gov.au

Dear Director,

**IN THE INVESTIGATION OF THE ALLEGED DUMPING OF WIND TOWERS EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA (CHINA) AND THE REPUBLIC OF KOREA (KOREA):
Submission in response to Statement of Essential Facts (SEF) 221 dated 4 February 2014**

I refer to the submission of A.C.N. 009 483 694 Pty. Ltd (t/a Haywards Steel Fabrication & Construction) and Keppel Prince Engineering Pty. Ltd. (t/a Keppel Prince), the applicants representing the Australian industry producing certain utility scale wind towers exported to Australia from China and Korea (the Applicants) dated 26 February 2014.

The applicants now make this further submission made on behalf of Win&P., Ltd, and the Government of Korea dated 26 February 2014 (placed on the public record on 27 February 2014).

At the outset, we repeat our earlier submission on the inclusion of embeds in the definition of the goods under consideration.

The Applicants note the delay in the placement of the public file version of the visit report for the verification of the Win & P., Ltd exporter visit. In light of the comments of the exporter in its 26 February 2014 submission, the Applicants necessarily conclude that there remains disagreement between the exporter and the Commission. Given this disagreement, the Applicant's submit that this casts into doubt the reliability of the exporter's (Win & P., Ltd) financial data. Accordingly, the Applicant's submit that it is appropriate in these circumstances for the Parliamentary Secretary to conclude that the exporter's information is unreliable under sub-regulations 180(6) and 181(7) and



An Australian Government Initiative

The International Trade Remedies Advisor is an independent but Australian Government funded position employed by the Australian Industry Group



181A(5) of the *Customs Regulations 1926* – in terms of the exporter's costs of production, selling, general and administration costs and an amount for profit on the sale of goods.

Therefore, the Applicants submit that it would appropriate for the Parliamentary Secretary to exercise his discretion to disregard the exporter's costs information, and to rely on the best available information, being the cost construction data contained within the Applicant's application.

Yours sincerely,

Arthur Vlahonasios
arthur.vlahonasios@aigroup.asn.au



An Australian Government Initiative

The International Trade Remedies Advisor is an independent but Australian Government funded position employed by the Australian Industry Group