



**NON - CONFIDENTIAL**

3 July 2015

**Received on 3 July 2015**

Ms Kerry Taylor  
Director, Investigations  
Anti-Dumping Commission  
Level 35, 55 Collins Street  
Melbourne VIC 3000

Dear Ms Taylor,

**HOLLOW STRUCTURAL SECTIONS (HSS) FROM THAILAND**

Our comments follow in relation to Austube Mills' ("ATM") letter of 24 June 2015 concerning Pacific Pipe's response to SEF No. 254.

**Ineligibility of domestic sales**

Contrary to ATM's claim, it is not claimed by Pacific Pipe that sales of AS1163-C350 HSS were made to a local customer *for fabrication purposes with the finished good subsequently exported*. It is claimed by Pacific Pipe that the said HSS was sold to a local customer for export to its Australian subsidiary for fabrication in Australia. That is, the AS1163-C350 HSS sold to the domestic customer concerned for export to Australia **was not sold for home consumption in Thailand** and therefore the prices in these sales are not eligible for s269TAC(1) normal value ("NV") assessments.

**Unsuitability**

ATM has provided no rationale for its conclusion that prices of domestic sales of AS1163-C350 HSS during the three month period of July-September 2013 are suitable for comparison with the weighted average of export prices of AS1163-C350 HSS over the twelve month investigation period ("IP") from 1 July 2013 to 30 June 2014. Domestic prices in this limited three month period are clearly **not fairly comparable** with export prices over the twelve month IP as they are not representative of domestic prices of like goods **over the IP**.

**Insufficiency**

Contrary to ATM's claim, Pacific Pipe has not suggested that "pipe thicknesses" should not be taken into account in normal value assessments. Pacific Pipe claims that the Commission

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irrationally revised its original **sufficiency test** by including pipe thicknesses in the comparison of the volumes of domestic and export sales of AS1163-C350 HSS.

**Commission for related party sales**

ATM has provided no rationale for its submission that there are no grounds for the Commission to make adjustments for sales commissions paid for activities *undertaken internally within Pacific Pipe*, when evidence before the Commission proves that the commissions payable to related company Tamose Trading are direct selling expenses which **differently modify domestic and export prices**.

**Duty drawback**

Pacific Pipe has made a submission of 26 June providing the Commission with further information to justify its further consideration of its duty drawback claim.

Yours sincerely,



Roger Simpson