



Submission to the Anti-Dumping Commission regarding “Certain crystalline silicon photovoltaic modules or panels exported from China”

We submit that there are no panels or modules sold on the Australian market that are “identical” to those assembled by Tindo Solar, although some might be similar enough to be considered “Like Goods”. Although solar PV modules convert sunlight to electric current, are generally rectangular and might superficially look alike, there can be significant differences that go beyond appearances.

Companies selling panels or modules that might be considered a “Like Good” should be given an opportunity to present the reasons why their products and Tindo Solar’s products are not directly substitutable. Clean Energy Council (CEC) was very pleased to be able to host a workshop on 5 June at which representatives of the Commission were able to meet and talk directly to CEC members. We would like to be able to arrange another workshop to discuss the issue of “Like Goods” and will be in contact with officers of the Commission to discuss arrangements.

There are certain classes of solar PV panels and modules that arguably are not “Like Goods” in comparison with those assembled by Tindo Solar, and should not be considered as part of the anti-dumping investigation. Tindo Solar assembles 60-cell modules with a capacity of 240 or 250 Watts (W). Tindo Solar’s application to the Commission specifically notes that a 300 W module is not produced in Australia and that Tindo Solar is not certified to assemble this model. A number of CEC’s members have argued that PV modules and panels with power output of 300 Watts or greater should not be considered “Like Goods” and we note that submissions to that effect have been posted on the Commission’s web site.

Tindo Solar is not certified to ISO9001, ISO 14002 or OHSAS18001. International Certificates, such as those issued by the International Electrotechnical Commission, TUV, VDE and other accredited testing bodies) will be important to understand in the context of “Like Goods” and exclusion from “Goods under Consideration”.

These are relatively complex matters not amenable to being summarised in a way that would be broadly applicable across all of CEC’s members. For that reason we believe that it would be beneficial to hold a workshop that gives CEC members the opportunity to discuss with the Commission why they do not consider certain of their products to be “Like Goods”.