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20th October 2014

The Commissioner
Anti-Dumping Commission
Customs House
1010 Latrobe Street
Docklands VIC 3008

Application for Exemption for Spencerbeams Pty Ltd trading as RV Solar Supplies (formally Solar Gods)

Re: Investigation ADC 239 – alleged dumping of PV modules and panels being exported from China

To The Commissioner,

Subsequent to our letter dated 12th August 2014 submitted to Mr Chris Kunaratnam please find herein our application for exemption of dumping duty under case ADS 239. Please note that since our initial letter we have changed our business name from Solar Gods to RV Solar Supplies effective from 2nd September.

RV Solar Supplies is an importer and wholesale distributor of 12 volt folding and fixed solar panel kits exclusively for the outdoor leisure and recreation industry. The business was established in March 2012 to meet a growing demand for recreational solar panels and solar products for the outdoor recreation market (camping, caravanning, marine and 4x4) for the application of charging 12 volt lead-acid batteries. We import extra low voltage (12 volt) folding and fixed PV solar panel kits (<160W in size) from two Chinese manufacturers. These kits are custom made to our specifications.

We are a small but growing company operating as a wholesale distributor primarily to RV manufacturers and retailers. At no time has RV Solar Supplies been involved in the grid connected, 240 volt domestic or commercial solar industry, either as a supplier, designer or installer. We made a conscious choice at the outset to steer clear of the 'rooftop' industry and set out to forge a name for ourselves in the outdoor recreation market which demands 12 volt solar panels and products less than 200W in size.

The folding and fixed PV solar panel kits that we supply are small in sizes and power compared to those found in the rooftop residential and commercial solar market.

Our 120W and 160W folding solar panel kits (refer Photo 2) for RV's are comprised of two 60W panels and two 80W panels respectively, attached together via a hinge and latches. The kit is also fitted with support legs, a solar charge controller and 10 meter cable with connectors to connect directly to a 12V battery.

Our 80W, 120W and 150W fixed solar panel kits (refer Photo 1) for RV's are comprised of a regular solar panel together with cable, ABS mounting brackets (for attachment to the RV roof) and a solar charge controller.

Neither of our products are intended or designed for rooftop solar systems in any way.

The table below summarises the folding and fixed solar PV kits supplied by RV Solar Supplies to the Australian market.

MODEL	DESCRIPTION	POWER (W)	CELL TYPE	CELL COUNT
SG-120W-FOLD	120W Mono, Folding Solar Panel Kit	120	Cut down 5"	36-cell (x2)
SG-160W-FOLD	160W Mono, Folding Solar Panel Kit	160	Cut down 5"	36-cell (x2)
SG-80W-FIXED	80W Mono, Fixed Solar Panel Kit	80	5"	32-cell
SG-120W-FIXED	120W Mono, Fixed Solar Panel Kit	120	5"	48-cell
SG-150W-FIXED	150W Poly, Fixed Solar Panel Kit	150	6"	40-cell

Our solar panels are comprised overwhelmingly of 5" mono-crystalline cells using less than 48 cells per panel. Our understanding is that Tindo, who is the applicant for this anti-dumping investigation, produces nominally 250W poly-crystalline solar panels using 60 x 6" cells intended for rooftop and utility scale PV systems.

MODEL	DESCRIPTION	POWER (W)	CELL TYPE	CELL COUNT
Tindo	Karra 250W Poly panel	250	6"	60-cell

We argue that Tindo's solar panels are not 'like goods' to that required for the outdoor recreational solar market nor 'like' the goods that we import and supply. We also believe that our goods cannot be produced by Tindo at their manufacturing premises in Australia. On this basis we believe that RV Solar Supplies poses no commercial threat to Tindo.

We are of the opinion that our market (solar for outdoor leisure and recreation) was unintentionally overlooked when the terms and scope of the anti-dumping investigation were defined. We were only made aware of this investigation by chance during a discussion with one of our suppliers and as a consequence we (and other importers of 12V recreational solar) have not had any involvement, representation or input into the terms of this anti-dumping investigation.

A contributing reason for this oversight we believe is due to the broad and general definition of tariff classification 8541.40.00 Statistical Code 53 which covers any and all solar PV panel irrespective of size or method of manufacture. This, coupled with the loose terms outlined in the Anti-Dumping Notice which specifies 'The Goods' under investigation as being...

"Certain crystalline silicon photovoltaic modules or panels, whether exported assembled or unassembled, and whether or not they have an inverter, capable of producing any power in terms of watt."

...is extremely broad, general and non-specific given the narrow scope and manufacturing ability of the single Australian manufacturer of solar PV modules.

In summary we therefore believe that it is entirely unreasonable to apply any anti-dumping levy under the current terms of the investigation to RV Solar Supplies. Our imported solar PV panels are for express use in the outdoor leisure and recreation market and less than 160W in size and are entirely different to those produced by the Australian industry (Tindo Manufacturing) and as such bear no material or commercial impact to Tindo Manufacturing.

We propose that the terms of the investigation be amended and significantly narrowed to all solar PV panels greater than 200W in size thereby excluding the outdoor leisure and recreation market from the investigation and any such levies.

We would expect that RV Solar Supplies (and any like importers) be exempt from any levy that is applied as a result of the investigation into alleged dumping of crystalline silicon solar PV modules and panels exported from China.

Sincerely,



Spencer Smith

Proprietor/Managing Director

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Photo 1 – Our 12V fixed solar panel kits for RV's



Photo 2 – Our 12V folding solar panel kits for outdoor recreation

