



ANTI – DUMPING SPECIALISTS

ACN 056 514 213 ABN 87 056 514 213

5 August 2015

NON-CONFIDENTIAL

Ms Joanne Reid
Director, Operations 2
Anti-Dumping Commission
Industry House
10 Binara Street
Canberra ACT 2601

Dear Ms Reid,

PV MODULES OR PANELS FROM CHINA – PARTICULAR MARKET SITUATION

This letter, on behalf of Trina Solar, is preliminary to a submission in response to the Final Report by Dr George R Barker of 13 July 2015 concerning the Chinese market situation in relation to PV modules or panels.

Neither the said report by Dr Barker, an external consultant engaged by the Commission to *independently gather relevant information regarding the production and sale of PV modules or panels, and major raw materials (cells, wafers, ingots and polysilicon) used in the manufacturing of PV modules or panels, in China*¹, nor the Commission's Electronic Public Record ("EPR"), provide details of the Commission's requirement of the activities to be undertaken and reported on by Dr Barker, i.e. the terms of reference of his engagement. Just the purpose of Dr Barker's engagement is referred to in the Commission's file note on the EPR.

Furthermore, Dr Barker's report refers to a brief provided by the Commission, e.g. –

- “the brief for this report” identifying certain “institutional arrangements”²; and
- “the brief suggested” certain GOC policies³.

As for terms of reference of the engagement of Dr Barker, neither Dr Barker's report nor the Commission's EPR provide details of the brief provided to Dr Barker by the Commission.

The terms of reference of the Commission's engagement of Dr Barker and the Commission's brief to Dr Barker for his report are relevant to the defence of Trina Solar's interests in this Particular Market Situation investigation and we therefore request access to these documents

¹ Commission's File Note – EPR 239 (folio 126).

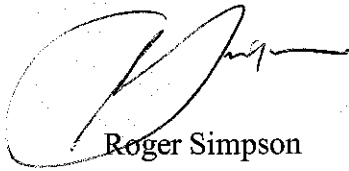
² Dr Barker's report, page 20.

³ Ibid, page 22.

in accordance with Articles 6.2 and 6.4 of the WTO Anti-Dumping Agreement and section 269ZJ(1) of the Customs Act.

Your early response to this request will be appreciated.

Yours sincerely,



Roger Simpson