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ABN 79 126 290 444

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May 12, 2012

Mr Geoffrey Gleeson  
Director  
International Trade Remedies Branch  
Australian Customs & Border Protection Service  
Canberra ACT 2600

Dear Mr Gleeson,

Re: **SEF No 177**  
**A/C [REDACTED] SDN BHD**  
**Malaysia**

Following the publication of PAD No. 177 ([REDACTED]) is prepared to offer a Price Undertaking for your consideration in accordance with s269TEB(1).

[REDACTED] is submitting this offer on the basis that its future exports of relevant goods will not cause or threaten any material injury to the applicant, Onesteel-ATM or to the Australian industry.

One of the demonstrable outcomes of this investigation has been the clear identification of a specific sub set of goods not produced by the applicant or by the other two local producers, Orrcon and ITM, namely goods included in the GUC with a wall thickness of [REDACTED] or greater. (> [REDACTED])

[REDACTED] is the only known producer - exporter in this investigation with the capability of producing and supplying goods having a wall thickness [REDACTED] and greater.

Onesteel-ATM externally source the relevant goods having a wall thickness of [REDACTED] or greater resulting [REDACTED] having to directly compete with Onesteel-ATM's imports of those goods from Maruichi of Japan, being goods not included in the GUC.

We respectfully submit that s269TEA (2) and s269TEA (3)(b) are of relevance for reason that Alpine's exports [REDACTED] wall thickness do not directly compete with any goods produced by any of the three local producers.

Supporting this offer is the following summary of [REDACTED] exports during the I.P.:-

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**Table No 1**

**Total exports by [REDACTED]:**

Importer	Tonnes	Values		Dumping	%
		Export Sales	Normal Value		
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
<b>Combined</b>	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

**Table No 2**

**Exports of goods [REDACTED]:**

**Directly Competing Goods:**

**Total exports by [REDACTED]:**

Importer	Tonnes	Values		Dumping	%
		Export Sales	Normal Value		
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
<b>Combined</b>	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

**Table No 3**

**Exports of goods [REDACTED] [REDACTED]:**

**Non Competing Goods:**

**Total exports by [REDACTED]:**

Importer	Tonnes	Values		Dumping	%
		Export Sales	Normal Value		
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
<b>Combined</b>	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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The Price Undertaking [REDACTED] is prepared to offer is based on **Table No 3**, in that it will apply to those goods having a wall thickness [REDACTED]

Australian Customs & Border Protection (ACBP) has of course previously determined separate Normal Values being sub sets within the very GUC of this investigation being on the basis of grade, finish and end type. Previous ACBP reports refer to this practice.

More importantly however, the goods [REDACTED] are proposing be included in a Price Undertaking, whilst technically dumped, are simply non injurious to Onesteel-ATM and in our opinion the CEO of ACBP has the necessary scope and delegation to recommend the acceptance of this offer.

**Table No 2** demonstrates that those [REDACTED] exports that competed directly with Onesteel-ATM, being the volume of [REDACTED] exports, are not dumped.

[REDACTED] exports of the GUC having a wall thickness less than [REDACTED] are effectively in competition with those exports from Thailand which enjoy a 4% substantive Customs Duty advantage over [REDACTED]. We have described these exports as being less than [REDACTED] wall thickness although most other exporters in this investigation, including the Thai exporters, essentially produce and export GUC up to [REDACTED] wall thickness.

The explanation for [REDACTED] exports of [REDACTED] plus wall thickness exports being technically dumped is that on its home market [REDACTED] commands a price premium since it is the only Malaysian producer with the capability to produce these goods of [REDACTED] plus.

On the Australian market however [REDACTED] has to compete with imports by Onesteel-ATM from Japan's Maruichi as previously mentioned.

Based on **Table No 3** the price undertaking offer for those goods having a wall thickness of [REDACTED] or greater is [REDACTED] per metric tonne, FOB Cash. If these goods were dumped, meaning they caused material injury to Onesteel-ATM, then the margin would be [REDACTED] %.

As demonstrated by **Table No 2**, [REDACTED] exports of the GUC less than [REDACTED] wall thickness had a negligible dumping margin and we request ACBP to recognize this fact in its recommendation to the Minister.

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█ still retains its right to appeal certain aspects of ACBP's determination on █ Normal Value calculations being those aspects previously expressed in response to the ACBP verification visit.

Please contact the writer for any clarification of this price undertaking offer.

Thank you for your consideration during this investigation of █ exports to Australia.

Sincerely,



**M J Howard  
Representative**