



24 Jun 2021

Ms Leisa Baynham
Assistant Director
Anti-Dumping Commission

TOSHIBA

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Case No. 507 – Power Transformers exported from PRC

Dear Ms Baynham

On 22 May 2020 the ADRP revoked the termination decision of the ADC in relation to all other exporters with regards to Case No. 507. Toshiba International Corporation (TIC) subsequently placed a submission on the public file in relation to this decision from the ADRP which we asked to be considered in the context of creating a new SEF.

In the notice ADN 2020/66 – Future resumption of an investigation (investigation No. 507) it states that “Subsection 296ZZT(2) of the Act provides that, as soon as practicable after a reviewable decision has been revoked I must publish a SEF” and “The date of publication of the SEF will depend on the outcome of my consideration of the ADRP’s report and the Commission’s advice regarding what further work is necessary to address the issues identified by the ADRP”.

As already mentioned, TIC has provided a submission relating to the issues identified by the ADRP as they pertain to TIC. TIC is concerned, however, at the length of time it is taking to produce a SEF and bring this case to a resolution. The decision published by ADRP was dated 18 May 2019 and the notice of a resumption into the investigation was published on 17 July 2019.

Given this time has passed without any visible progress having occurred, TIC would like to respectfully address the following questions to the ADC:

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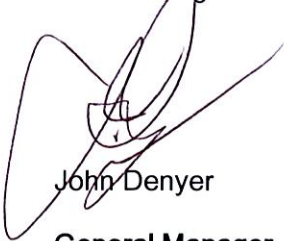
- (i) Has the Commissioner considered the ADRP report as mentioned in ADN 2020/66?
- (ii) Has the Commission provided advice, again as noted in ADN 2020/66, in relation to what further work is necessary to address the issues identified by the ADRP?
- (iii) Has any further work been carried to address the issues identified by the ADRP?

We accept that the recent Federal Court Case has had some bearing on the timeliness, however with that issue now being resolved, TIC is anxious to gain some insight to the expected timelines going forward.

The issue for TIC is that, in the absence of a resolution to this case, the market as a whole is likely to view a "non-resolution" as the same thing as a "negative-finding", due to the uncertainties associated with it.

For this reason we would appreciate if the Commission could respond to our queries and provide us with a pathway to final resolution of this matter.

Kindest Regards



John Denyer

General Manager, Energy Systems and Solutions

Toshiba International Corporation