



C-570-103  
Investigation  
**Public Document**  
ADCVD Ops/Office II: RIH

April 2, 2019

Government of the People's Republic of China  
c/o Gu Yu  
Embassy of the People's Republic of China  
Economic and Commercial Office  
2133 Wisconsin Avenue, NW  
Washington, DC 20007

Re: Countervailing Duty Investigation of Certain Fabricated Structural Steel from the  
People's Republic of China

Dear Mr. Yu:

The U.S. Department of Commerce (Commerce) is conducting a countervailing duty investigation of certain fabricated structural steel (fabricated structural steel) from the People's Republic of China (China).<sup>1</sup> As part of our investigation, we are requesting that your government and certain companies provide answers to the enclosed questionnaire. We have selected the following companies as respondents in this investigation: Anshan Zizhu International Trading Co., Ltd (Anshan Zizhu) and Sunjoy Group International PTE Ltd (Sunjoy International). See Memorandum, "Countervailing Duty Investigation of Certain Fabricated Structural Steel from the People's Republic of China: Respondent Selection," dated April 1, 2019. Please note that your government is responsible for forwarding copies of this cover letter and questionnaire to these respondent companies.

In this questionnaire, we are requesting information on programs which may constitute subsidies under U.S. law which were alleged in the petition and on which Commerce initiated an investigation. Commerce has taken no position on whether these programs provide subsidies in this case, and our request for information on these programs does not imply that we will necessarily find them to provide countervailable subsidies. Our decisions on those questions will be made on the basis of information received during this proceeding (including information from you) in light of the applicable provisions of U.S. law.

Please refer to the cover page and general instructions of the enclosed questionnaire for the due date for responding to this questionnaire, the official in charge, and the instructions for filing the response. The companies identified above must complete Section III of the questionnaire and

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<sup>1</sup> On March 4, 2019, Commerce published in the *Federal Register* the initiation of the countervailing duty investigations on certain fabricated structural steel from Canada, Mexico, and the People's Republic of China. See *Certain Fabricated Structural Steel from Canada, Mexico and the People's Republic of China: Initiation of Countervailing Duty Investigations*, 84 FR 7339 (March 4, 2019).



must submit their responses to Commerce by the deadline noted. Your government must complete Section II of the questionnaire and submit a response by the same deadline.

With certain, limited exceptions, all submissions for all proceedings must be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). An electronically filed document must be received successfully in its entirety by ACCESS by 5 p.m. Eastern Time (ET) on the date indicated on the cover page of the enclosed questionnaire.<sup>2</sup> Documents excepted from the electronic submission requirements must be filed manually (*i.e.*, in paper form) with the APO/Dockets Unit in Room 18022 and stamped with the date and time of receipt by 5 p.m. ET on the due date established here within.

For your convenience, Commerce has the following resources available online to assist you in complying with these electronic filing procedures:

ACCESS: Help Link  
<https://access.trade.gov/help.aspx>

ACCESS: External User Guide  
<https://access.trade.gov/help/ACCESS%20User%20Guide.pdf>

ACCESS: Handbook on Electronic Filing Procedures  
<https://access.trade.gov/help/Handbook%20on%20Electronic%20Filing%20Procedures.pdf>

*Federal Register* notice: *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011)  
<http://www.gpo.gov/fdsys/pkg/FR-2011-07-06/pdf/2011-16352.pdf> and *Enforcement and Compliance: Change of Electronic Filing System Name*, 79 FR 69046 (November 20, 2014)  
<http://www.gpo.gov/fdsys/pkg/FR-2014-11-20/pdf/2014-27530.pdf>

Please note that revised certification requirements are in effect for company/government officials as well as their representatives. In all segments of antidumping duty or countervailing duty proceedings initiated on or after August 16, 2013, parties submitting factual information must use the formats for the revised certifications provided at the end of the *Final Rule*. See *Certification of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) (*Final Rule*); see also the frequently asked questions regarding the *Final Rule*, available at [http://ia.ita.doc.gov/tlei/notices/factual\\_info\\_final\\_rule\\_FAQ\\_07172013.pdf](http://ia.ita.doc.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf). Templates for these certifications are included as an appendix to this questionnaire.

Commerce must conduct this investigation in accordance with statutory and regulatory deadlines. If you are unable to respond completely to every question in the attached questionnaire by the established deadline, or are unable to provide all requested supporting documentation by the same date, you must notify the official in charge and submit a request for an extension of the

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<sup>2</sup> We are also requesting that the company respondents submit certain information within 14 days of the date of this questionnaire. See Section III, page 1.

deadline for all or part of the questionnaire response. If you require an extension for only part of your response, such a request should be submitted separately from the portion of your response filed under the current deadline. Statements included within a questionnaire response regarding a respondent's ongoing efforts to collect part of the requested information, and promises to supply such missing information when available in the future, do not substitute for a written extension request. Section 351.302(c) of Commerce's regulations requires that all extension requests be in writing and state the reasons for the request. Any extension granted in response to your request will be in writing; otherwise the original deadline will apply. Extensions for your government and for the respondent companies identified above must be requested separately; any extension granted will apply only to the party identified in the written extension issued by Commerce.

If Commerce does not receive either the requested information or a written extension request before 5:00 p.m. ET on the established deadline, we may conclude that the government or the respondent companies have decided not to cooperate in this proceeding. Commerce will not accept any requested information submitted after the deadline. As required by section 351.302(d) of our regulations, we will reject such submissions as untimely. Therefore, failure to properly request extensions for all or part of a questionnaire response may result in the application of partial or total facts available, pursuant to section 776(a) of the Act, which may include adverse inferences, pursuant to section 776(b) of the Act.

In the unlikely event that you have received this questionnaire after the deadline to respond, you MUST contact the official in charge within 5 days of receipt of the questionnaire to receive further instructions and a revised deadline for the submission of the required information. Failure to do so may result in the presumption that you failed to cooperate by not acting to the best of your ability to comply with the request for information, and Commerce may use an inference that is adverse to your interests in selecting from the facts otherwise available, in accordance with section 776(b) of the Act.

Should you need further assistance or information with regard to this investigation, please contact Darla Brown at 202-482-1791, or Ian Hamilton at 202-482-4798.

Sincerely,



Elizabeth Eastwood  
Program Manager  
AD/CVD Operations, Office II  
Enforcement and Compliance

Enclosure

**UNITED STATES DEPARTMENT OF COMMERCE  
INTERNATIONAL TRADE ADMINISTRATION  
ENFORCEMENT & COMPLIANCE**

**COUNTERVAILING DUTY QUESTIONNAIRE**

**Countervailing Duty (CVD) Investigation**

**Certain Fabricated Structural Steel  
from the People's Republic of China  
C-570-103**

**PERIOD OF INVESTIGATION:** December 1, 2018 – December 31, 2018

**DUE DATE for RESPONSE  
to SECTION III IDENTIFYING  
AFFILIATED COMPANIES:** April 16, 2019

**SECTIONS II and III  
RESPONSE DUE DATE:** May 9, 2019

**OFFICIALS IN CHARGE:**

**NAME: Darla Brown  
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E-MAIL: Darla.Brown@trade.gov**

**NAME: Ian Hamilton  
OPERATIONS, OFFICE II  
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**Instructions for filing a response to this questionnaire are outlined in Section I “General Instructions” of the questionnaire.**

**STATUTORY REFERENCE:** Tariff Act of 1930, Title VII, as amended

**REGULATORY REFERENCE:** 19 CFR Parts 351 and 354

***PUBLIC SERVICE LIST***

The public service list is a compilation of parties with Administrative Protective Order (APO) access, interested parties, and other parties who have requested to be included on the Public Service List. Only the authorized applicants with APO access are entitled to be served with business proprietary information. All parties on this list are entitled to public documents and public versions of proprietary documents. NOTE: SERVICE BY E-MAIL IS PROHIBITED without the consent of the party being served (*See* 351.303(f)(ii)).

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End of Service List



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## SECTION I GENERAL INSTRUCTIONS

The U.S. Department of Commerce (Commerce) requests information about the programs on which an investigation was initiated in order to determine whether countervailable subsidies have been provided to producers/exporters in the People's Republic of China (China) of certain fabricated structural steel (fabricated structural steel). Section 775 of the Tariff Act of 1930, as amended (the Act), also requires Commerce to investigate any other potential countervailable subsidies it discovers during the course of this investigation that pertain to the manufacture, production, or exportation of fabricated structural steel.

If you have questions during the course of this investigation, we urge you to consult with the officials in charge named on the cover page. If for any reason you do not believe that you can complete a response to this questionnaire by the date specified on the cover page of this questionnaire, or in the form requested, you must notify the official in charge within 14 days of the date of this questionnaire.

Your response to the questionnaire should include all of the information requested. It is essential and in your interest that Commerce receive complete information early in the proceeding to ensure a thorough and accurate analysis, and to provide all parties the fullest opportunity to review and comment on your submission and Commerce's analysis. We appreciate your cooperation in this investigation.

### **I. PRODUCERS/EXPORTERS SUBJECT TO INVESTIGATION**

We have selected Anshan Zizhu International Trading Co., Ltd. and Sunjoy Group International PTE Ltd, publicly identifiable producers/exporters of subject merchandise, as the mandatory company respondents (hereinafter, respondents, company respondents, or companies under investigation). See Memorandum to James Maeder, Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, Melissa G. Skinner, Direction, Office II, Antidumping Duty and Countervailing Duty Operations, Countervailing Duty Investigation of Certain Fabricated Structural Steel from the People's Republic of China: Respondent Selection (Respondent Selection Memorandum).

Please note that the Government of the People's Republic of China (GOC) is responsible for forwarding a copy of Section I and Section III of this questionnaire and the Initiation Checklist (Public Version), which contains more detailed information on the programs alleged for this investigation, to the producer(s) and/or exporter(s) subject to investigation.

### **II. SCOPE AND TIME PERIOD OF INVESTIGATION**

#### **A. Scope**

The merchandise covered by this investigation is carbon and alloy fabricated structural steel. Fabricated structural steel is made from steel in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is two percent or less by weight.

Fabricated structural steel products are steel products that have been fabricated for erection or assembly into structures, including, but not limited to, buildings (commercial, office, institutional, and multi-family residential); industrial and utility projects; parking decks; arenas and convention centers; medical facilities; and ports, transportation and infrastructure facilities. Fabricated structural steel is manufactured from carbon and alloy (including stainless) steel products such as angles, columns, beams, girders, plates, flange shapes (including manufactured structural shapes utilizing welded plates as a substitute for rolled wide flange sections), channels, hollow structural section (HSS) shapes, base plates, and plate-work components. Fabrication includes, but is not limited to cutting, drilling, welding, joining, bolting, bending, punching, pressure fitting, molding, grooving, adhesion, beveling, and riveting and may include items such as fasteners, nuts, bolts, rivets, screws, hinges, or joints.

The inclusion, attachment, joining, or assembly of non-steel components with fabricated structural steel does not remove the fabricated structural steel from the scope.

Fabricated structural steel is covered by the scope of the investigation regardless of whether it is painted, varnished, or coated with plastics or other metallic or non-metallic substances and regardless of whether it is assembled or partially assembled, such as into modules, modularized construction units, or sub-assemblies of fabricated structural steel.

Subject merchandise includes fabricated structural steel that has been assembled or further processed in the subject country or a third country, including but not limited to painting, varnishing, trimming, cutting, drilling, welding, joining, bolting, punching, bending, beveling, riveting, galvanizing, coating, and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the fabricated structural steel.

Specifically excluded from the scope of this investigation are:

1. Fabricated steel concrete reinforcing bar (rebar) if: (i) it is a unitary piece of fabricated rebar, not joined, welded, or otherwise connected with any other steel product or part; or (ii) it is joined, welded, or otherwise connected only to other rebar.
2. Fabricated structural steel for bridges and bridge sections that meets American Association of State and Highway and Transportation Officials (AASHTO) bridge construction requirements or any state or local derivatives of the AASHTO bridge construction requirements.
3. Pre-engineered metal building systems, which are defined as complete metal buildings that integrate steel framing, roofing and walls to form one, pre-engineered building system, that meet Metal Building Manufacturers Association guide specifications. Pre-engineered metal building systems are typically limited in height to no more than 60 feet or two stories.
4. Steel roof and floor decking systems that meet Steel Deck Institute standards.
5. Open web steel bar joists and joist girders that meet Steel Joist Institute specifications.

The products subject to the investigations are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings: 7308.90.3000, 7308.90.6000, and 7308.90.9590.

The products subject to the investigation may also enter under the following HTSUS subheadings: 7216.91.0010, 7216.91.0090, 7216.99.0010, 7216.99.0090, 7222.40.6000, 7228.70.6000, 7301.10.0000, 7301.20.1000, 7301.20.5000, 7308.40.0000, 7308.90.9530, and 9406.90.0030.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

**B. Period of Investigation**

The time period covered by this investigation (the period of investigation - POI) is January 1, 2018, through December 31, 2018, or the most recently completed fiscal year for the GOC and all of the companies under investigation, provided the GOC and the companies have the same fiscal year.

It is the responsibility of the GOC to notify the companies selected as respondents of the appropriate POI. Please contact the officials in charge if you have any questions regarding the POI and the GOC's role in notifying firms of the appropriate POI.

**III. INSTRUCTIONS FOR FILING THE RESPONSE**

The following instructions apply to your response to this questionnaire and all other documents that you submit to Commerce during the course of this proceeding, such as responses to additional questionnaires, extension requests, and case briefs.

**A. Filing:**

1. The GOC is responsible for submitting the responses for all central, provincial, and local governments, as well as any company information requested in the government section of this questionnaire. Either the GOC or the companies under investigation are responsible for submitting the company responses to Commerce in a timely manner such that they will be received by Commerce in Washington, DC, no later than the close of business on the due date specified on the cover page of this questionnaire. All laws, regulations, and other descriptive materials that supplement your response should be submitted on the same date as the initial response.
2. All submissions must be made electronically using the Commerce's ACCESS website at <http://access.trade.gov>. If an exception to the electronic filing requirement applies, you must address and manually submit your response to the address indicated at Section C "Manual Filing," below. To determine if your response qualifies for manual filing, *see* "Manual Filing."

3. The business proprietary response should be submitted on the due date specified. The public version of the response may be filed one business day after the proprietary response.
4. An electronically filed document must be received successfully in its entirety by ACCESS by 5:00pm Eastern Time (ET) on the due date, unless an earlier time is specified.

B. Format

1. You are required to state in the upper right-hand corner of your cover letter the following information in the following format:
  - a. on the first line, indicate the case number stated on the cover page to this questionnaire;
  - b. on the second line, indicate the total number of pages in the document including cover pages, appendices, and any unnumbered pages;
  - c. on the third line, indicate “investigation” and the time period (MM/DD/YY - MM/DD/YY);
  - d. on the fourth line, indicate Commerce’s office conducting the proceeding (the office is indicated on the cover page to this questionnaire);
  - e. on the fifth and subsequent lines, indicate whether any portion of the document contains business proprietary information and, if so, list the page numbers containing business proprietary information; and indicate the business proprietary/public status of the document and whether you agree or object to release of the submitted information under administrative protective order (APO) by stating one of the following:
    - “Business Proprietary Document -- May Be Released Under APO,”
    - “Business Proprietary Document -- May Not Be Released Under APO,”
    - “Business Proprietary/APO Version-- May Be Released Under APO,”
    - “Public Version,” or
    - “Public Document.”
2. Please include a “Re:” line on the cover letter of your response, and any other submissions you make during this proceeding. In the Re: line, briefly summarize the purpose of your submission, *e.g.*, “response to questionnaire,” “case brief.”
3. Prepare your response in typed form and in English (*see* 19 CFR 351.303(d) and (e) for these and other formatting requirements). Include an original and

translated version of all pertinent portions of non-English language documents that accompany your response, including financial statements. Any foreign language submission which is not accompanied by an English translation will be disregarded.

4. Repeat the question to which you are responding in your narrative submission and place your answer directly below it.
5. Please respond to each question. If a particular question does not apply, please state so and explain why in your response. Failure to do so could lead to the use of adverse inferences for that particular question.
6. In each of your answers, please identify your source of information. Please include with your response copies of source documents necessary to understand your response and include an original and translated version of all source documents. For additional information sources not included in your response, indicate the location where the documents or electronic data systems are maintained. If information is maintained at multiple locations, please list in an appendix to your response these locations along with notes indicating the information maintained at each location. This information is used by Commerce to prepare for verification.
7. Include all worksheets, financial reports, and other requested documents as appendices to your response.
8. Provide a table of appendices. Assign a number to each appendix and include a descriptive name for each appendix and its number in the table.
9. Identify all units of measurement, currencies, and conversion factors used in your narrative response, worksheets, or other appendices. All monetary amounts should be shown in the currency in which they were originally denominated, and in the currency in which they are registered in your accounts (if the two are different). Also, report the actual exchange rate used for a particular conversion. For all values adjusted for inflation, please provide the data in both nominal and adjusted terms and explain how these values were adjusted.
10. We request that tabulated information regarding company use of programs (*e.g.*, loans, loan guarantees, and grants) be submitted using the Microsoft Excel spreadsheet program compatible with the Microsoft Windows Operating System (MS-Windows) software for PCs.
11. It is your responsibility to contact the officials in charge if subsequent to your filing there are events that affect your response (*e.g.*, changes as a result of an audit).

C. Manual Filing

1. All submissions must be filed electronically. Only under the following four circumstances will Commerce accept a hardcopy response that is manually filed:
  - Documents exceeding 500 pages in length may be filed manually (in paper form) in the APO/Dockets Unit. This is referred to as a “bulky document.”
  - Data files greater than 20 MB must be filed manually on CD-ROM or DVD.
  - If the ACCESS system is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour between 12:00pm and 4:30pm ET or for any duration of time between 4:31pm and 5:00pm ET, then a person may manually file the document in the APO/Dockets Unit. Commerce will provide notice of such technical failures on the ACCESS Help Desk line at 202-482-3150 and on Enforcement and Compliance’s website, which is <http://www.trade.gov/ia/>.
  - Apart from the above, if you are unable to comply with the electronic filing requirement, as provided in 19 CFR 351.103(c) and in accordance with section 782(c) of the Act, you must promptly notify the officials in charge and submit a full written explanation of the reasons you are unable to file the document electronically. You must also suggest alternative forms in which to submit the information. Commerce will consider the ability of a submitter and may modify the electronic filing requirement on a case-by-case basis.
2. All manually filed documents must be accompanied by a cover sheet generated in ACCESS. For manually filed bulky documents, separator sheets must also be generated and used.
3. If your response qualifies as a bulky document and you opt to file it manually, you must file two identical paper copies of the document. For all other authorized manual submissions, only one paper copy is required.
4. Manual submissions must be addressed and submitted to:

Secretary of Commerce  
APO/Dockets Unit  
Room 18022  
U.S. Department of Commerce  
Fourteenth Street and Constitution Avenue, NW  
Washington, DC 20230  
Attn: Enforcement & Compliance  
AD/CVD Operations, Office (specify office number indicated on the  
cover page of this questionnaire)

D. Certifications

1. Submit the required *certification of factual information*.<sup>1</sup> Providers of information and the person(s) submitting it, if different (e.g., a legal representative), must certify that they have read the submission and that the information submitted is accurate and complete. Commerce cannot accept questionnaire responses that do not contain signed certifications. Forms for such certification are included as attachments to this questionnaire within Sections II and III.
2. Provide the required *certificate of service* (included as an attachment) with each business proprietary submission and its public version, as well as each fully public submission.
3. Signed certifications of accuracy and certificates of service should be scanned and appended to the appropriate electronic documents filed in ACCESS.

E. Business Proprietary Information and Summarization of Business Proprietary Information

1. You may request business proprietary treatment for information submitted that is not publicly available. As a general rule, Commerce places all correspondence and submissions received in the course of an antidumping or countervailing duty proceeding in a public reading file. However, information deemed to be proprietary will not be made available to the public. If you wish to make a request for proprietary treatment for particular information, refer to 19 CFR 351.304, 351.305, and 351.306. You must submit the request for proprietary treatment at the same time as the claimed business proprietary information is submitted to Commerce.
2. Utilize the “one-day lag rule” under 19 CFR 351.303(c)(2) if you wish an additional day to review the final bracketing of business proprietary information in a document and to prepare the required public version. The filing requirements under the one-day lag rule provide for a party to file only the business proprietary document within the applicable time limit (19 CFR 351.303(c)(2)(i)). By the close of business one business day after the date the business proprietary document is filed, the person must file the complete final business proprietary document (19 CFR 351.303(c)(2)(i)(ii)). The final business proprietary document must be identical to the original document except for any bracketing corrections.

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<sup>1</sup> Commerce’s certification requirements changed effective March 14, 2011. Additional changes regarding the certification of factual information by governments participating in a proceeding became effective on September 2, 2011. Any submissions made to Commerce pursuant to proceedings initiated on or after March 14, 2011, must be accompanied by the appropriate company, government, and representative certifications (as applicable). For more information refer to 76 FR 7491 (February 10, 2011) and 76 FR 54697 (September 2, 2011) of the *Federal Register*.



3. By the close of business one business day after the date the business proprietary document is filed (refer to the “one-day lag rule” in the preceding paragraph), submit the public version of your response (19 CFR 351.303(c)(2)(i)(iii)). A public version must contain:
  - (1) a non-proprietary (public) version of your response that has sufficient detail to permit a reasonable understanding of the information submitted in confidence, and/or
  - (2) an itemization of particular information that you believe you are unable to summarize. State the reasons why you cannot summarize each piece of information.

Please note: The summarization requirement does not apply solely to the narrative portion of your response. It applies equally to worksheets and other appendices to your response. Generally, numerical data, such as that provided in sales and loan charts, are adequately summarized only if grouped or presented in terms of indices or figures ranged within 10 percent of the actual figure. Responses, or portions thereof, that are not adequately summarized may be rejected from the record of this proceeding.

4. Submit the statements required regarding limited release of business proprietary information under the provisions of an APO. U.S. law permits limited disclosure to representatives of parties (e.g., legal counsel) of certain business proprietary information, including electronic business proprietary information, under an APO. (Note that data received under an APO cannot be shared with others who are not covered by the APO.) Under the provisions governing APO disclosure, you must submit either:
  - (1) a statement agreeing to permit the release under APO of information submitted by you in confidence during the course of the proceeding, or
  - (2) a statement itemizing those portions of the information which you believe should not be released under APO, together with arguments supporting your objections to that release.

We are required by our regulations to reject, at the time of filing, submissions of business proprietary information that do not contain one of these statements. As discussed above, you must state in the upper right-hand corner of the cover letter accompanying your questionnaire response whether you agree or object to release of the submitted information under APO (e.g., May Be Released Under APO or May Not Be Released Under APO). See 19 CFR 351.304 for specific instructions. If you do not agree to release under APO all or part of the proprietary information, but we determine that the information should be released, you will have the opportunity to withdraw the information (see 19 CFR 351.304(d)). However, any information which you withdraw will be removed from the official record and will not be used in our determination.

5. Place brackets (“[ ]”) around information for which you request business proprietary treatment. Place double brackets (“[[ ]]”) around information for which you request proprietary treatment and which you do not agree to release under APO.<sup>2</sup>
6. Provide to all parties whose representatives have been granted APO access and who are listed on Commerce’s most recent APO Service List, a complete copy of the submission--proprietary document and public version, except for that information which you do not agree to release under APO. (APO service lists, as well as public service lists, are maintained at <https://access.trade.gov> under the corresponding case number, and are also either attached to the cover letter of this questionnaire or will be provided by a subsequent letter from Commerce). If you exclude information because you do not agree to release it under APO, you must submit the complete business proprietary version, wherein information in double brackets has been excluded. This version of the response must be marked “Business Proprietary/APO Version-- May Be Released Under APO” on the cover page. For parties that do not have access to information under APO, please provide a public version only.
7. A chart summarizing AD/CVD document filing requirements can be found at <http://ia.ita.doc.gov/filing/index.html>. Detailed and supplemental information concerning APOs, including the APO Handbook, a complete set of APO regulations, and APO application forms and service lists, can be found at <http://ia.ita.doc.gov/apo/index.html>.

F. Government Confidential Information

Any government confidential information submitted to us should be clearly labeled, preferably with the national security classification mark of the responsible authority. The appropriate authority should also submit a statement explaining, in detail, why the information is confidential.

Please note that any company-specific information submitted by government authorities, for which the government is acting merely as a conduit, is not entitled to government confidential treatment; such information is covered by the business proprietary information guidelines outlined above.

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<sup>2</sup> Commerce will not disclose proprietary customer names under APO during an antidumping or countervailing duty investigation until either an order is published or the investigation is suspended. To ensure that proprietary customer names are properly treated in this case, place double brackets (“[[ ]]”) around all proprietary customer names in your submissions to Commerce during the course of this investigation.

G. Verification

All information submitted is subject to verification. Failure to allow full and complete verification of any information may affect the consideration accorded to that or any other verified or non-verified item in the responses.

H. Extension Requests

Commerce must conduct this proceeding in accordance with statutory and regulatory deadlines. If you are unable to respond completely to every question in the attached questionnaire by the established deadline, or are unable to provide all requested supporting documentation by the same date, you must notify the officials in charge and submit a written request for an extension of the deadline for all or part of the questionnaire response. If you require an extension for only part of your response, such a request should be submitted separately from the portion of your response filed under the current deadline. Statements included within a questionnaire response regarding a respondent's ongoing efforts to collect part of the requested information, and promises to supply such missing information when available in the future, do not substitute for a written extension request. All extension requests must be in writing and should state the reasons for the request pursuant to 19 CFR 351.302(c). Any extension granted in response to your request will be communicated in writing by Commerce; otherwise the original deadline will apply.

If Commerce does not receive either the requested information or a written extension request before 5:00pm ET on the established deadline, we may conclude that you have decided not to cooperate in this proceeding. Commerce will not accept any requested information submitted after the deadline. As required by 19 CFR 351.302(d), we will reject such submissions as untimely. Therefore, failure to properly request extensions for all or part of a questionnaire response may result in the application of partial or total facts available, pursuant to section 776(a) of the Act, which may include adverse inferences, pursuant to section 776(b) of the Act.

I. Separate Letter of Appearance Required

Pursuant to 19 CFR 351.103(d)(1), "with the exception of a petitioner filing a petition in an investigation, to be included on the public service list for a particular segment, each interested party must file a letter of appearance." The letter of appearance must be filed separately from any other document (with the exception of an application for APO access) and must be accompanied by the certification(s) required under 19 CFR 351.303(g).

#### IV. SUBMISSION OF COMPUTER DATABASES AND SPREADSHEETS

##### A. Filing Instructions

Except as described above under the section “Manual Filing,” all database files, including Microsoft Excel spreadsheets that are less than 20 MB in size must be filed electronically using ACCESS. Instructions for using ACCESS can be found above and at <http://access.trade.gov>. Please refer to the Handbook on Electronic Filing Procedures in the “Help” section of the website.

For manual filings (when applicable), separately pack and label the electronic media containing the databases or spreadsheets (see section below for labeling and other instructions). Deliver the package to the address listed in the section “Manual Filing.” (Note that databases over 20 MB must be filed manually.)

##### B. Special Instructions for Manual Filing

For manual filings (when applicable), you may submit your databases or spreadsheets on either a CD or DVD. Compressed databases are acceptable, but decompression instructions and software must accompany any compressed data submission.

Clearly label the CD or DVD with the following information:

1. Case name, case number, and submission date
2. Name of respondent
3. Proceeding and time period (*e.g.*, INV-POI 1/2011-12/2011)
4. Name of official in charge
5. File formats and software used to create the databases or worksheets
6. File names, number of observations, and record lengths
7. ACCESS bar code number

##### C. Data Formatting Instructions

1. Since the database or spreadsheet must be readable by an IBM-compatible PC, the data must be encoded in ASCII format or, at your option, PC SAS, Access, dBase, or Excel formats.
2. Report numerical data in a numerical format that allows calculations (*e.g.*, 10, not 10 MT). Units should be reported in fields separate from numerical values.

**SECTION II**  
**QUESTIONNAIRE FOR THE GOVERNMENT OF THE**  
**PEOPLE'S REPUBLIC OF CHINA**

Commerce requests information about the programs on which an investigation was initiated in order to determine whether countervailable subsidies have been provided to producers/exporters in China of fabricated structural steel. Section 775 of the Act also requires Commerce to investigate any other potential countervailable subsidies it discovers during the course of this investigation that pertain to the manufacture, production, or exportation of fabricated structural steel.

Commerce has selected the following companies as mandatory respondents: Anshan Zizhu International Trading Co., Ltd. (Anshan Zizhu) and Sunjoy Group International PTE Ltd (Sunjoy International).

Therefore, the information contained in this questionnaire should be answered for these companies. We note that the companies are instructed to provide you with the name(s) of any “cross-owned” companies which they must include in their questionnaire responses. Please ensure that you provide a complete response for these “cross-owned” companies as well.

**ANSWER:**

**I. GENERAL QUESTIONS**

- A. Provide a copy of bulletins of economic and/or financial statistics regarding lending, economic development, and economic planning, published during the period of investigation (POI).**

**ANSWER:**

- B. Provide a copy of the generally accepted accounting principles of China. If there are different accounting principles applicable to different types of companies, explain the differences in detail and describe to which type of companies each set of principles applies.**

**ANSWER:**

- C. Provide the GOC's tariff schedule numbers which correspond to the HTSUS item numbers listed under Scope in Section I, General Instructions of this questionnaire. Provide the official description applicable to the products covered by these numbers.**

**ANSWER:**

- D. Unless the government or the companies choose to demonstrate that a company-specific or alternative country-wide average useful life (AUL) of renewable physical assets differs from the AUL of renewable physical assets for the industry concerned as listed in the U.S. Internal Revenue Service's Depreciation Range System (IRS tables), Commerce will use the AUL set forth by the IRS tables for this industry as the allocation period for non-recurring subsidies. *See* 19 CFR 351.524(d)(2). In the case of the subject merchandise, the AUL for the industry is set at 12 years.**

**ANSWER:**

## **II. PROGRAM-SPECIFIC QUESTIONS**

For each program, if no company under investigation or “cross-owned” companies as defined in Section III applied for, used, or benefited from that program during the POI, the GOC must so state and provide a brief explanation of the program and a detailed description of the records kept on that program. Otherwise, please answer all of the questions listed, except as directed below.

Respondents should be aware that Commerce allocates the benefits received from certain types of subsidies over time (*see* 19 CFR 351.524). As noted above, the AUL for this investigation is 12 years. Thus, in order to appropriately measure any allocated subsidies, Commerce will use a 12-year AUL in this investigation. Although the POI is a recent period, we are investigating alleged subsidies received over a time period corresponding to the AUL.

The government is responsible for providing the information requested below for each company respondent and each of the respondent’s cross-owned companies and for each trading company through which the respondent sells subject merchandise to the United States. Furthermore, the government is responsible for providing the information requested below even if the alleged subsidy was received by companies, or their former parent companies, which have since been merged with, purchased by, or have transferred a substantial portion of their assets to, other companies. If former parent companies received assistance under any of the programs listed below, please indicate and provide separate answers.

For any program which had multiple funding sources or was administered by different governmental levels, please provide information as to the roles played by each administering authority.

If a question requires information from other authorities, *e.g.*, local governments, please forward questions to the correct source. However, it is the responsibility of the GOC to provide full and complete responses to questions on all programs under investigation from all regional, provincial, municipal or local authorities.

For detailed descriptions of the programs listed below, *see* the Initiation Checklist (public version) included with this questionnaire as Attachment C.

### **A. GRANT PROGRAMS**

#### **1. Capital Injections and Other Payments from the State Capital Operating Budget**

Please respond to all questions in the following appendices:

##### **1. Standard Questions Appendix,**

2. Allocation Appendix, and
3. Grant Appendix.

**ANSWER:**

**2. Foreign Trade Development Fund Grants**

**Please respond to all questions in the following appendices:**

1. Standard Questions Appendix,
2. Allocation Appendix, and
3. Grant Appendix.

**ANSWER:**

**3. Export Assistance Grants**

**Please respond to all questions in the following appendices:**

1. Standard Questions Appendix,
2. Allocation Appendix, and
3. Grant Appendix.

**ANSWER:**

**4. Import Interest Subsidies**

**Please respond to all questions in the following appendices:**

1. Standard Questions Appendix,
2. Allocation Appendix, and
3. Grant Appendix.

**ANSWER:**

**5. Export Interest Subsidies**

**Please respond to all questions in the following appendices:**

1. Standard Questions Appendix,
2. Allocation Appendix, and
3. Grant Appendix.

**ANSWER:**



**6. Subsidies for Development of Famous Export Brands and China World Top Brands**

**Please respond to all questions in the following appendices:**

- 1. Standard Questions Appendix,**
- 2. Allocation Appendix, and**
- 3. Grant Appendix.**

**ANSWER:**

**7. State Key Technology Fund**

**Please respond to all questions in the following appendices:**

- 1. Standard Questions Appendix,**
- 2. Allocation Appendix, and**
- 3. Grant Appendix.**

**ANSWER:**

**8. Grants for Energy Conservation and Emission Reduction**

**Please respond to all questions in the following appendices:**

- 1. Standard Questions Appendix,**
- 2. Allocation Appendix, and**
- 3. Grant Appendix.**

**ANSWER:**

**9. Grants for Retiring Outdated Capacity**

**Please respond to all questions in the following appendices:**

- 1. Standard Questions Appendix,**
- 2. Allocation Appendix, and**
- 3. Grant Appendix.**

**ANSWER:**

**B. LOANS AND CREDIT**

**I. Government Directed Debt Restructuring in the Chinese Steel Industry**

1. Please provide the information requested in the Standard Questions Appendix.

**ANSWER:**

II. **Export Buyer's Credits**

1. Please provide the information requested in the Standard Questions Appendix with regard to all types of financing provided by China's Export-Import Bank (EXIM Bank) under the Buyer Credit Facility.

Your response to the appendix must address the buyer credits provided to all U.S. customers of the mandatory company respondents (including all responding cross-owned affiliated companies) during the POI.

**ANSWER:**

2. Commerce has requested that each mandatory respondent compile a list of all of customers located in the United States to which it exported during the POI, along with the shipment addresses for these customers, and provide a copy of that list to the GOC. In addition to completing the appendix, Commerce requests that the GOC provide the following information regarding all buyer credits provided to the respondents' customers.
  - a. For the outstanding loans to a respondent's customer, complete the Loan Template provided at Attachment 1 to Section III of this questionnaire. Please submit your completed worksheet to Commerce in Excel format. You must add fields to the worksheet indicating the name of the respondent's customer, the customer's address, and the type of merchandise purchased (*i.e.*, subject or non-subject merchandise). Submit a separate completed Loan Template for each mandatory respondent.

**ANSWER:**

- b. Provide a sample application for each type of financing provided under the Buyer Credit Facility, the application's approval, and the agreement between the respondent's customer and China's EXIM Bank that establish the terms of the assistance provided under the facility.

**ANSWER:**

3. Report the interest rate(s) established during the POI for the Buyer Credit Facility for all types of financing provided, for all loan terms (*e.g.*, loans ranging from 0 to 180 days and 180 to 270 days, *etc.*), and all denominations (*i.e.*, RMB and foreign currency). Please provide documentation to support your answer.

**ANSWER:**

4. Provide a copy of the September 6, 2016, *GOC 7<sup>th</sup> Supplemental Response in the Countervailing Duty Investigation of Certain Amorphous Silica Fabric from the People's Republic of China* (ACCESS barcode: 3503880-01) (Export Buyer's Credit Supplemental Questionnaire Response).

**ANSWER:**

5. Provide original and translated copies of any laws, regulations or other governing documents cited by the GOC in the Export Buyer's Credit Supplemental Questionnaire Response.

**ANSWER:**

6. Provide a list of all partner/correspondent banks involved in disbursement of funds under the Export Buyer's Credit Program.

**ANSWER:**

7. If you claim that none of the customers of the mandatory respondents used buyer credits, please explain in detail the steps the GOC took to determine that no customer used the Buyer Credit Facility. In your answer, please identify the documents, databases, accounts, etc. that were examined to determine there was no use.

**ANSWER:**

III. **Export Seller's Credits**

1. Please provide the information requested in the Standard Questions Appendix as it applies to export seller's credits from China's EXIM Bank.

**ANSWER:**

2. Report the interest rate(s) established during the POI for the seller's credit facility for all types of financing (*e.g.*, pre- and post-shipment financing), for

all loan terms (*e.g.*, loans ranging from 0 to 180 days and 180 to 270 days, etc.), and all denominations (*i.e.*, RMB and foreign currency). Please provide documentation to support your answer.

**ANSWER:**

3. If you claim that none the mandatory respondents used seller's credits, please explain in detail the steps that the GOC took to make that determination. In your answer, please identify the documents, databases, accounts, etc. that were examined to conclude there was no use.

**ANSWER:**

**C. INCOME TAX PROGRAMS**

**1. Income Tax Reductions for High and New Technology Enterprises**

Please respond to all questions in the following appendices:

1. Standard Questions Appendix, and
2. Tax Program Appendix.

**ANSWER:**

**2. Tax Offsets for Research and Development Under the Enterprise Income Tax Law (EIT)**

Please respond to all questions in the following appendices:

1. Standard Questions Appendix, and
2. Tax Program Appendix.

**ANSWER:**

**3. Preferential Income Tax for Enterprises in the Northeast Region**

Please respond to all questions in the following appendices:

1. Standard Questions Appendix, and
2. Tax Program Appendix.

**ANSWER:**

4. **Forgiveness of Tax Arrears for Enterprises Located in the Old Industrial Bases of Northeast China**

Please respond to all questions in the following appendices:

1. Standard Questions Appendix, and
2. Tax Program Appendix.

**ANSWER:**

**D. PROVISION OF GOODS OR SERVICES FOR LESS THAN ADEQUATE REMUNERATION (LTAR)**

*The GOC should respond to the following questions if any of the mandatory company respondents purchased the input from Chinese producers, either directly or through a supplier, during the POI, regardless of whether the respondents claim they did not use the input to produce the subject merchandise. Please coordinate immediately with the company respondents to obtain a complete list of each company's **INPUT** producers, including the producers of inputs purchased by the respondent through a supplier. Be sure to include full names and addresses of these producers in both Chinese and English.*

*For the purposes of the questions in this section, “Government” refers to all levels of government, including central, provincial, regional, city, special economic zone, municipal, township, village, local, legislative, administrative or judicial, singular, collective, elected or appointed. It also includes any person, agency or institution acting for, on behalf of, or under the authority of any law passed by, or acting on behalf of the central or sub-central government of that country. Specifically, it includes the institution and officials of the Chinese Communist Party.*

*Further, for purposes of the questions in this section, state-invested enterprise (SIE) refers to any company or enterprise that is wholly or partially owned by the Government, directly or indirectly. State ownership includes ownership by agencies of those Governments listed above, including state asset management entities; ownership by state-owned enterprises or state-owned commercial banks (including investment funds managed by those banks); and ownership by labor unions.*

1. **Provision of Hot-Rolled Steel for LTAR**

**Questions Regarding the Hot-Rolled Steel Industry:**

The GOC expressly asserts that there is no government “program” for the provision of goods or services to the FSS industry at LTAR. Please see the detailed discussion below. In the course of preparing this questionnaire response, the GOC requested the mandatory respondents to identify their input suppliers. The GOC found that most, if not all, of respondents’ suppliers of inputs involved in this case are private companies. Although the GOC cannot collect the huge amount of documentation and information required in the Input Producer Appendix in such a limited period of time, for purposes of cooperation in this investigation the GOC is submitting with this response the basic information and ownership structure of all the suppliers of the inputs supplied to the mandatory respondents during the POI.

At the outset, the GOC emphasizes that none of the input suppliers that produce the alleged inputs used by the mandatory respondents during the POI are “authorities” within the meaning of applicable U.S. law or “public bodies” within the meaning of the WTO Agreement on Subsidies and Countervailing Measures (“SCM”). The WTO Appellate Body has confirmed that majority government ownership, or even “meaningful” government control of an entity, does not alone establish that a government has bestowed the entity with “governmental authority,” a requisite finding to establish that an entity is a “public body” within the meaning of the SCM. United States – Definitive Anti-Dumping And Countervailing Duties On Certain Products From China, WT/DS379/AB/R, AB-201003, paras. 318, 346 (11 March 2011). Furthermore, the Appellate Body ruled explicitly that it is the duty of the investigating WTO member to evaluate the relevant evidence in an objective manner to ensure that its determination is based on a sufficient factual basis, and not the burden of respondents to submit evidence to overcome a presumption that majority ownership alone meets the evidentiary requirement to find an entity is an “authority” or “public body.”

Furthermore, as foreign-invested and privately owned companies, all the input producers in this investigation are independent business entities, operating on commercial bases. They make decisions independently with respect to their day-to-day commercial operations, including production, contract signing, price-setting, and commercial negotiations, without any interference or influence from any government agencies.

The GOC also notes its concern with the Department's questionnaire regarding the "key persons" the Department requires the GOC to identify, in terms of individual owners, members of the board of directors, or senior managers of certain suppliers that whether these individuals were Government and/or CCP organization officials during the POI. As the GOC has submitted numerous times, the GOC does not maintain a central record of this information.

The GOC further stresses that input pricing fluctuates in accordance with market dynamics. The respondents' purchases of the alleged inputs during the POI did not result in a benefit in this case. These inputs markets in China operate under market conditions, and the GOC does not interfere in or influence pricing in these markets.

Finally, no specificity exists in the provision of the alleged inputs. There are a vast and virtually unlimited number of industrial uses for the alleged inputs. Furthermore, the FSS industry in China is not a disproportionate or predominant consumer of the alleged inputs, as explained in more detail below. The GOC does not impose any limitation on the consumption of pig iron and ferrous scraps by law or by policy. Sales and purchases are necessarily dictated by the market and driven by the forces of supply and demand. Accordingly, there is no specificity in the provision of such inputs within the meaning of Article 2 of the "SCM".

**1. Please provide the information requested in the Input Producer Appendix.**

**ANSWER:** The GOC provides the Input Producer Appendix at **Exhibit HRS-1**.

2. Provide the following information concerning the hot-rolled steel industry in China for the POI and the prior two years, including an explanation of the sources used to compile the information.

Identify the precise product code/industry classification used to collect the reported data. Provide the complete description for this code/classification.

**ANSWER:**

- a. The total number of producers.
- b. The total volume and value of Chinese domestic consumption of hot-rolled steel and the total volume and value of Chinese domestic production of hot-rolled steel.
- c. The percentage of domestic consumption accounted for by domestic production.
- d. The total volume and value of imports of hot-rolled steel.
- e. The percentage of total volume and (separately) value of domestic production that is accounted for by companies in which the Government maintains a majority ownership or a controlling management interest, either directly or through other Government entities. Please also provide a list of the companies that meet these criteria.
- f. If the share of total volume and/or value of production that is accounted for by the companies identified in paragraph “e”, above, is less than 50 percent, please provide the following information:
  - i. The percentage of total volume and value of domestic production that is accounted for by companies in which the Government maintains some, but not a majority, ownership interest or some, but not a controlling, management interest, either directly or through other Government entities.



- ii. **A list of the companies that meet the criteria under sub-paragraph “i”, above.**
  - iii. **A detailed explanation of how it was determined that the government has less than a majority ownership or less than a controlling interest in such companies, including identification of the information sources relied upon to make this assessment.**
- g. A discussion of what laws, plans or policies address the pricing of hot-rolled steel, the levels of production of hot-rolled steel, the importation or exportation of hot-rolled steel, or the development of hot-rolled steel capacity. Please state which, if any, central and sub-central level industrial policies pertain to the hot-rolled steel.**
- 3. If there is a(n) hot-rolled steel association in China, please provide the rules or guidelines under which it operates and a list of its members. If there is not a hot-rolled steel association, provide the rules, guidelines, and a list of members for the narrowest industry association that would include hot-rolled steel producers (e.g., steel association).**

**ANSWER:**

- 4. Are there or have there been in the POI or in the previous two years any export or price controls on hot-rolled steel or any price floors or ceilings established?**

**ANSWER:**

- 5. Please state the VAT and import tariff rates in effect for hot-rolled steel in January 1, 2018 through December 31, 2018 and the prior two years.**

**ANSWER:**

- 6. Was there was an export tariff or quota on hot-rolled steel during the POI? If so, please report the tariff rate or quota amount in effect and provide a translated copy of the regulation/law in which the export tariff rate or quota is reported.**

**ANSWER:**

7. Indicate whether export licensing requirements were in place during the POI with regard to hot-rolled steel. If so, please provide a translated copy of the regulation/law in which the export licensing requirements are explained.

**ANSWER:**

8. Provide a list of the industries in China that purchase hot-rolled steel directly, using a consistent level of industrial classification. Provide the amounts (volume and value) purchased by the industry in which the mandatory respondent companies operate, as well as the totals purchased by every other industry. In identifying the industries, please use whatever resource or classification scheme the Government normally relies upon to define industries and to classify companies within an industry. Please provide the relevant classification guidelines, and please ensure the list provided reflects consistent levels of industrial classification. Please clearly identify the industry in which the companies under investigation are classified.

**ANSWER:**

9. Are there trade publications that specify the prices of the good/service within your country and on the world market? Provide a list of these publications, along with sample pages from these publications listing the prices of the good/service within your country and in world markets during the POI.

**ANSWER:**

**Questions Regarding the Producers of Hot-Rolled Steel:**

1. Please provide the following document: SASAC Decree No.28, “Interim Measures for the Administration and Supervision of Central SOEs’ Overseas Investment”, March 18, 2012.

**ANSWER:**

2. Please provide documentation and explanation of the different categories of industries and enterprises such as “backbone,” “pillar,” “key,” “core,” “strategic,” “focus,” *etc.*, especially as enumerated in the national 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> and 12<sup>th</sup> five-year plans, sector-specific industrial plans, provincial and local five year development plans and sector specific industrial plans, *Guiding Opinions Promoting the Adjustment of State-owned Capital and the Reorganization of State-owned Enterprises*, and other planning documents. Please state whether enterprises or industries that produce hot-rolled steel and/or the industries to which respondents belong are categorized as such. Please explain the policy rationale for such a designation. Please provide the original Chinese and fully translated copies of any

such documents which provides this designation, together with a narrative explaining the purpose of each.

**ANSWER:**

3. Explain the objectives of the Government in holding shares in the enterprises, and whether those objectives are defined in any Government proclamation, regulation, decree, opinion, law or policy. Provide original Chinese and fully translated copies of any supporting documents. Please also explain the relevant Government ownership policy regarding the enterprises or the industry addressed in the Input Producer Appendix and/or the industries to which respondents belong.

**ANSWER:**

4. Please explain if the industry in which the enterprises that produce hot-rolled steel and/or the industries to which respondents belong are covered by any central, provincial or local Government five-year plans, industry-specific plans or policy, investment guide, catalogue or any other Government planning or policy documents that are relevant to the POI. If so, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of each.

**ANSWER:**

5. If any of the producers addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are explicitly mentioned in any central, provincial or local, Government industry five-year plans, industry-specific plan or policy, investment guide, catalogue, or any other Government planning or policy documents that are relevant to the POI, please reference and provide a narrative explaining such discussions. Also, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of such policy.

**ANSWER:**

6. Please explain if the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are subject to Governmental approval for any mergers, restructurings, or capacity additions. If so, please explain the process for such an approval by the Government and whether such an approval is linked to the hot-rolled steel industry.

**ANSWER:**

7. Please explain if the SASAC, or any other Government entity, has approved mergers, acquisitions, capacity additions or reductions for the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong during or in the 11 years preceding the POI. If so, please identify the Government entities that approved such measures and provide a list of the enterprises subject to the decision.

**ANSWER:**

2. **Provision of Cut-to-Length Plate for LTAR**

**Questions Regarding the Cut-to-Length Plate Industry:**

1. Please provide the information requested in the Input Producer Appendix.

**ANSWER:**

2. Provide the following information concerning the cut-to-length plate industry in China for the POI and the prior two years, including an explanation of the sources used to compile the information.

**ANSWER:**

Identify the precise product code/industry classification used to collect the reported data. Provide the complete description for this code/classification.

- a. The total number of producers.
- b. The total volume and value of Chinese domestic consumption of cut-to-length plate and the total volume and value of Chinese domestic production of cut-to-length plate.
- e. The percentage of domestic consumption accounted for by domestic production.
- f. The total volume and value of imports of cut-to-length plate.
- e. The percentage of total volume and (separately) value of domestic production that is accounted for by companies in which the Government maintains a majority ownership or a controlling management interest, either directly or

through other Government entities. Please also provide a list of the companies that meet these criteria.

- f. If the share of total volume and/or value of production that is accounted for by the companies identified in paragraph “e”, above, is less than 50 percent, please provide the following information:
- iv. The percentage of total volume and value of domestic production that is accounted for by companies in which the Government maintains some, but not a majority, ownership interest or some, but not a controlling, management interest, either directly or through other Government entities.
  - v. A list of the companies that meet the criteria under sub-paragraph “i”, above.
  - vi. A detailed explanation of how it was determined that the government has less than a majority ownership or less than a controlling interest in such companies, including identification of the information sources relied upon to make this assessment.
- g. A discussion of what laws, plans or policies address the pricing of cut-to-length plate, the levels of production of cut-to-length plate, the importation or exportation of cut-to-length plate, or the development of cut-to-length plate capacity. Please state which, if any, central and sub-central level industrial policies pertain to the cut-to-length plate industry.
3. If there is a(n) cut-to-length plate association in China, please provide the rules or guidelines under which it operates and a list of its members. If there is not a cut-to-length plate association, provide the rules, guidelines, and a list of members for the narrowest industry association that would include cut-to-length plate producers (*e.g.*, steel association).

**ANSWER:**

4. Are there or have there been in the POI or in the previous two years any export or price controls on cut-to-length plate or any price floors or ceilings established?

**ANSWER:**

5. Please state the VAT and import tariff rates in effect for cut-to-length plate in January 1, 2018 through December 31, 2018 and the prior two years.

**ANSWER:**

6. Was there was an export tariff or quota on cut-to-length plate during the POI? If so, please report the tariff rate or quota amount in effect and provide a translated copy of the regulation/law in which the export tariff rate or quota is reported.

**ANSWER:**

7. Indicate whether export licensing requirements were in place during the POI with regard to cut-to-length plate. If so, please provide a translated copy of the regulation/law in which the export licensing requirements are explained.

**ANSWER:**

8. Provide a list of the industries in China that purchase cut-to-length plate directly, using a consistent level of industrial classification. Provide the amounts (volume and value) purchased by the industry in which the mandatory respondent companies operate, as well as the totals purchased by every other industry. In identifying the industries, please use whatever resource or classification scheme the Government normally relies upon to define industries and to classify companies within an industry. Please provide the relevant classification guidelines, and please ensure the list provided reflects consistent levels of industrial classification. Please clearly identify the industry in which the companies under investigation are classified.

**ANSWER:**

9. Are there trade publications that specify the prices of the good/service within your country and on the world market? Provide a list of these publications, along with sample pages from these publications listing the prices of the good/service within your country and in world markets during the POI.

**ANSWER:**

**Questions Regarding the Producers of Cut-to-Length Plate:**

1. Please provide the following document: SASAC Decree No.28, “Interim Measures for the Administration and Supervision of Central SOEs’ Overseas Investment”, March 18, 2012.

**ANSWER:**

2. Please provide documentation and explanation of the different categories of industries and enterprises such as “backbone,” “pillar,” “key,” “core,” “strategic,” “focus,” *etc.*, especially as enumerated in the national 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> and 12<sup>th</sup> five-

year plans, sector-specific industrial plans, provincial and local five year development plans and sector specific industrial plans, *Guiding Opinions Promoting the Adjustment of State-owned Capital and the Reorganization of State-owned Enterprises*, and other planning documents. Please state whether enterprises or industries that produce cut-to-length plate and/or the industries to which respondents belong are categorized as such. Please explain the policy rationale for such a designation. Please provide the original Chinese and fully translated copies of any such documents which provides this designation, together with a narrative explaining the purpose of each.

**ANSWER:**

3. Explain the objectives of the Government in holding shares in the enterprises, and whether those objectives are defined in any Government proclamation, regulation, decree, opinion, law or policy. Provide original Chinese and fully translated copies of any supporting documents. Please also explain the relevant Government ownership policy regarding the enterprises or the industry addressed in the Input Producer Appendix and/or the industries to which respondents belong.

**ANSWER:**

4. Please explain if the industry in which the enterprises that produce cut-to-length and/or the industries to which respondents belong are covered by any central, provincial or local Government five-year plans, industry-specific plans or policy, investment guide, catalogue or any other Government planning or policy documents that are relevant to the POI. If so, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of each.

**ANSWER:**

5. If any of the producers addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are explicitly mentioned in any central, provincial or local, Government industry five-year plans, industry-specific plan or policy, investment guide, catalogue, or any other Government planning or policy documents that are relevant to the POI, please reference and provide a narrative explaining such discussions. Also, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of such policy.

**ANSWER:**

6. Please explain if the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are subject to Governmental approval for any mergers, restructurings, or capacity additions. If

**so, please explain the process for such an approval by the Government and whether such an approval is linked to the cut-to-length plate industry.**

**ANSWER:**

7. **Please explain if the SASAC, or any other Government entity, has approved mergers, acquisitions, capacity additions or reductions for the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong during or in the 11 years preceding the POI. If so, please identify the Government entities that approved such measures and provide a list of the enterprises subject to the decision.**

**ANSWER:**

**3. Provision of Wide Flange Beams for LTAR**

**Questions Regarding the Wide Flange Beams:**

The GOC expressly asserts that there is no government “program” for the provision of goods or services to the FSS industry at LTAR. Please see the detailed discussion below. In the course of preparing this questionnaire response, the GOC requested the mandatory respondents to identify their input suppliers. The GOC found that most, if not all, of respondents’ suppliers of inputs involved in this case are private companies. Although the GOC cannot collect the huge amount of documentation and information required in the Input Producer Appendix in such a limited period of time, for purposes of cooperation in this investigation the GOC is submitting with response the basic information and ownership structure of all the suppliers of the inputs supplied to the mandatory respondents during the POI.

At the outset, the GOC emphasizes that none of the input suppliers that produce the alleged inputs used by the mandatory respondents during the POI are “authorities” within the meaning of applicable U.S. law or “public bodies” within the meaning of the WTO Agreement on Subsidies and Countervailing Measures (“SCM”). The WTO Appellate Body has confirmed that majority government ownership, or even “meaningful” government control of an entity, does



not alone establish that a government has bestowed the entity with “governmental authority,” a requisite finding to establish that an entity is a “public body” within the meaning of the SCM. United States – Definitive Anti-Dumping And Countervailing Duties On Certain Products From China, WT/DS379/AB/R, AB-201003, paras. 318, 346 (11 March 2011). Furthermore, the Appellate Body ruled explicitly that it is the duty of the investigating WTO member to evaluate the relevant evidence in an objective manner to ensure that its determination is based on a sufficient factual basis, and not the burden of respondents to submit evidence to overcome a presumption that majority ownership alone meets the evidentiary requirement to find an entity is an “authority” or “public body.”

Furthermore, as foreign-invested and privately owned companies, all the input producers in this investigation are independent business entities, operating on commercial bases. They make decisions independently with respect to their day-to-day commercial operations, including production, contract signing, price-setting, and commercial negotiations, without any interference or influence from any government agencies.

The GOC also notes its concern with the Department’s questionnaire regarding the “key persons” the Department requires the GOC to identify, in terms of individual owners, members of the board of directors, or senior managers of certain suppliers that whether these individuals were Government and/or CCP organization officials during the POI. As the GOC has submitted numerous times, the GOC does not maintain a central record of this information.

The GOC further stresses that input pricing fluctuates in accordance with market dynamics. The respondents’ purchases of the alleged inputs during the POI did not result in a benefit in this case. These inputs markets in China operate under market conditions, and the GOC does not interfere in or influence pricing in these markets.

Finally, no specificity exists in the provision of the alleged inputs. There are a vast and virtually unlimited number of industrial uses for the alleged inputs. Furthermore, the FSS industry in China is not a disproportionate or predominant consumer of the alleged inputs, as explained in more detail below. The GOC does not impose any limitation on the consumption of pig iron and ferrous scraps by law or by policy. Sales and purchases are necessarily dictated by the market and driven by the forces of supply and demand. Accordingly, there is no specificity in the provision of such inputs within the meaning of Article 2 of the “SCM”.

**1. Please provide the information requested in the Input Producer Appendix.**

**ANSWER:**

**2. Provide the following information concerning the wide flange beams industry in China for the POI and the prior two years, including an explanation of the sources used to compile the information.**

**ANSWER:**

**Identify the precise product code/industry classification used to collect the reported data. Provide the complete description for this code/classification.**

- a. The total number of producers.**
- b. The total volume and value of Chinese domestic consumption of wide flange beams and the total volume and value of Chinese domestic production of wide flange beams.**
- g. The percentage of domestic consumption accounted for by domestic production.**
- h. The total volume and value of imports of wide flange beams.**
- e. The percentage of total volume and (separately) value of domestic production that is accounted for by companies in which the Government maintains a majority ownership or a controlling management interest, either directly or through other Government entities. Please also provide a list of the companies that meet these criteria.**

- f. If the share of total volume and/or value of production that is accounted for by the companies identified in paragraph “e”, above, is less than 50 percent, please provide the following information:
- vii. The percentage of total volume and value of domestic production that is accounted for by companies in which the Government maintains some, but not a majority, ownership interest or some, but not a controlling, management interest, either directly or through other Government entities.
  - viii. A list of the companies that meet the criteria under sub-paragraph “i”, above.
  - ix. A detailed explanation of how it was determined that the government has less than a majority ownership or less than a controlling interest in such companies, including identification of the information sources relied upon to make this assessment.
- g. A discussion of what laws, plans or policies address the pricing of wide flange beams, the levels of production of wide flange beams, the importation or exportation of wide flange beams, or the development of wide flange beams capacity. Please state which, if any, central and sub-central level industrial policies pertain to the wide flange beams.
3. If there is a(n) wide flange beams association in China, please provide the rules or guidelines under which it operates and a list of its members. If there is not a wide flange beam association, provide the rules, guidelines, and a list of members for the narrowest industry association that would include wide flange beam producers (*e.g.*, steel association).

**ANSWER:**

4. Are there or have there been in the POI or in the previous two years any export or price controls on wide flange beams or any price floors or ceilings established?

**ANSWER:**

5. Please state the VAT and import tariff rates in effect for wide flange beams in January 1, 2018 through December 31, 2018 and the prior two years.

**ANSWER:**

For Wide flange beam under following HTS Codes:

6. Was there was an export tariff or quota on wide flange beams during the POI? If so, please report the tariff rate or quota amount in effect and provide a translated copy of the regulation/law in which the export tariff rate or quota is reported.

**ANSWER:**

7. Indicate whether export licensing requirements were in place during the POI with regard to wide flange beams. If so, please provide a translated copy of the regulation/law in which the export licensing requirements are explained.

**ANSWER:**

8. Provide a list of the industries in China that purchase wide flange beams directly, using a consistent level of industrial classification. Provide the amounts (volume and value) purchased by the industry in which the mandatory respondent companies operate, as well as the totals purchased by every other industry. In identifying the industries, please use whatever resource or classification scheme the Government normally relies upon to define industries and to classify companies within an industry. Please provide the relevant classification guidelines, and please ensure the list provided reflects consistent levels of industrial classification. Please clearly identify the industry in which the companies under investigation are classified.

**ANSWER:**

9. Are there trade publications that specify the prices of the good/service within your country and on the world market? Provide a list of these publications, along with sample pages from these publications listing the prices of the good/service within your country and in world markets during the POI.

**ANSWER:**

**Questions Regarding the Producers of Wide Flange Beams:**

1. Please provide the following document: SASAC Decree No.28, “Interim Measures for the Administration and Supervision of Central SOEs’ Overseas Investment”, March 18, 2012.

**ANSWER:**

2. Please provide documentation and explanation of the different categories of industries and enterprises such as “backbone”, “pillar,” “key,” “core,” “strategic,” “focus,” *etc.*, especially as enumerated in the national 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> and 12<sup>th</sup> five-year plans, sector-specific industrial plans, provincial and local five year development plans and sector specific industrial plans, *Guiding Opinions Promoting the Adjustment of State-owned Capital and the Reorganization of State-owned Enterprises*, and other planning documents. Please state whether enterprises or industries that produce wide flange beams and/or the industries to which respondents belong are categorized as such. Please explain the policy rationale for such a designation. Please provide the original Chinese and fully translated copies of any such documents which provides this designation, together with a narrative explaining the purpose of each.

**ANSWER:**

3. Explain the objectives of the Government in holding shares in the enterprises, and whether those objectives are defined in any Government proclamation, regulation, decree, opinion, law or policy. Provide original Chinese and fully translated copies of any supporting documents. Please also explain the relevant Government ownership policy regarding the enterprises or the industry addressed in the Input Producer Appendix and/or the industries to which respondents belong.

**ANSWER:** Please re

ights and interests of state-invested company shall

be protected by law." Thus, it is clear from the law that it is not an objective of government shareholding in state-owned enterprises to exercise its governmental authority through such enterprises.

4. Please explain if the industry in which the enterprises that produce wide flange beams and/or the industries to which respondents belong are covered by any central, provincial or local Government five-year plans, industry-specific plans or policy, investment guide, catalogue or any other Government planning or policy documents that are relevant to the POI. If so, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of each.

**ANSWER:**

5. If any of the producers addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are explicitly mentioned in any central, provincial or local, Government industry five-year plans, industry-specific plan or

policy, investment guide, catalogue, or any other Government planning or policy documents that are relevant to the POI, please reference and provide a narrative explaining such discussions. Also, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of such policy.

**ANSWER:**

6. Please explain if the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are subject to Governmental approval for any mergers, restructurings, or capacity additions. If so, please explain the process for such an approval by the Government and whether such an approval is linked to the wide flange beams industry.

**ANSWER:**

7. Please explain if the SASAC, or any other Government entity, has approved mergers, acquisitions, capacity additions or reductions for the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong during or in the 11 years preceding the POI. If so, please identify the Government entities that approved such measures and provide a list of the enterprises subject to the decision.

**ANSWER:**

4. **Provision of Steel Channels for LTAR**

**Questions Regarding the Steel Channels:**

The GOC expressly asserts that there is no government “program” for the provision of goods or services to the FSS industry at LTAR. Please see the detailed discussion below. In the course of preparing this questionnaire response, the GOC requested the mandatory respondents to identify their input suppliers. The GOC found that most, if not all, of respondents’ suppliers of inputs involved in this case are private companies. Although the GOC cannot collect the huge amount of documentation and information required in the *Input Producer Appendix* in such a limited period of time, for purposes of cooperation in this investigation the GOC is submitting

with response the basic information and ownership structure of all the suppliers of the inputs supplied to the mandatory respondents during the POI.

At the outset, the GOC emphasizes that none of the input suppliers that produce the alleged inputs used by the mandatory respondents during the POI are “authorities” within the meaning of applicable U.S. law or “public bodies” within the meaning of the WTO Agreement on Subsidies and Countervailing Measures (“SCM”). The WTO Appellate Body has confirmed that majority government ownership, or even “meaningful” government control of an entity, does not alone establish that a government has bestowed the entity with “governmental authority,” a requisite finding to establish that an entity is a “public body” within the meaning of the SCM. United States – Definitive Anti-Dumping And Countervailing Duties On Certain Products From China, WT/DS379/AB/R, AB-201003, paras. 318, 346 (11 March 2011). Furthermore, the Appellate Body ruled explicitly that it is the duty of the investigating WTO member to evaluate the relevant evidence in an objective manner to ensure that its determination is based on a sufficient factual basis, and not the burden of respondents to submit evidence to overcome a presumption that majority ownership alone meets the evidentiary requirement to find an entity is an “authority” or “public body.”

Furthermore, as foreign-invested and privately owned companies, all the input producers in this investigation are independent business entities, operating on commercial bases. They make decisions independently with respect to their day-to-day commercial operations, including production, contract signing, price-setting, and commercial negotiations, without any interference or influence from any government agencies.

The GOC also notes its concern with the Department’s questionnaire regarding the “key persons” the Department requires the GOC to identify, in terms of individual owners, members

of the board of directors, or senior managers of certain suppliers that whether these individuals were Government and/or CCP organization officials during the POI. As the GOC has submitted numerous times, the GOC does not maintain a central record of this information.

The GOC further stresses that input pricing fluctuates in accordance with market dynamics. The respondents' purchases of the alleged inputs during the POI did not result in a benefit in this case. These inputs markets in China operate under market conditions, and the GOC does not interfere in or influence pricing in these markets.

Finally, no specificity exists in the provision of the alleged inputs. There are a vast and virtually unlimited number of industrial uses for the alleged inputs. Furthermore, the FSS industry in China is not a disproportionate or predominant consumer of the alleged inputs, as explained in more detail below. The GOC does not impose any limitation on the consumption of pig iron and ferrous scraps by law or by policy. Sales and purchases are necessarily dictated by the market and driven by the forces of supply and demand. Accordingly, there is no specificity in the provision of such inputs within the meaning of Article 2 of the "SCM".

**1. Please provide the information requested in the Input Producer Appendix.**

**ANSWER:**

**2. Provide the following information concerning the steel channels industry in China for the POI and the prior two years, including an explanation of the sources used to compile the information.**

**ANSWER:**

**Identify the precise product code/industry classification used to collect the reported data. Provide the complete description for this code/classification.**

**a. The total number of producers.**



- b. The total volume and value of Chinese domestic consumption of steel channels and the total volume and value of Chinese domestic production of steel channels.
  - i. The percentage of domestic consumption accounted for by domestic production.
  - j. The total volume and value of imports of steel channels.
  - e. The percentage of total volume and (separately) value of domestic production that is accounted for by companies in which the Government maintains a majority ownership or a controlling management interest, either directly or through other Government entities. Please also provide a list of the companies that meet these criteria.
  - f. If the share of total volume and/or value of production that is accounted for by the companies identified in paragraph “e”, above, is less than 50 percent, please provide the following information:
    - x. The percentage of total volume and value of domestic production that is accounted for by companies in which the Government maintains some, but not a majority, ownership interest or some, but not a controlling, management interest, either directly or through other Government entities.
    - xi. A list of the companies that meet the criteria under sub-paragraph “i”, above.
    - xii. A detailed explanation of how it was determined that the government has less than a majority ownership or less than a controlling interest in such companies, including identification of the information sources relied upon to make this assessment.
  - g. A discussion of what laws, plans or policies address the pricing of steel channels, the levels of production of steel channels, the importation or exportation of steel channels, or the development of steel channels capacity. Please state which, if any, central and sub-central level industrial policies pertain to the steel channels.
3. If there is a(n) steel channels association in China, please provide the rules or guidelines under which it operates and a list of its members. If there is not a steel channels association, provide the rules, guidelines, and a list of members for the narrowest industry association that would include steel channels producers (*e.g.*, steel association).

**ANSWER:**

4. Are there or have there been in the POI or in the previous two years any export or price controls on steel channels or any price floors or ceilings established?

**ANSWER:**

5. Please state the VAT and import tariff rates in effect for steel channels in January 1, 2018 through December 31, 2018 and the prior two years.

**ANSWER:**

6. Was there was an export tariff or quota on steel channels during the POI? If so, please report the tariff rate or quota amount in effect and provide a translated copy of the regulation/law in which the export tariff rate or quota is reported.

**ANSWER:**

7. Indicate whether export licensing requirements were in place during the POI with regard to steel channels. If so, please provide a translated copy of the regulation/law in which the export licensing requirements are explained.

**ANSWER:**

8. Provide a list of the industries in China that purchase steel channels directly, using a consistent level of industrial classification. Provide the amounts (volume and value) purchased by the industry in which the mandatory respondent companies operate, as well as the totals purchased by every other industry. In identifying the industries, please use whatever resource or classification scheme the Government normally relies upon to define industries and to classify companies within an industry. Please provide the relevant classification guidelines, and please ensure the list provided reflects consistent levels of industrial classification. Please clearly identify the industry in which the companies under investigation are classified.

**ANSWER:**

9. Are there trade publications that specify the prices of the good/service within your country and on the world market? Provide a list of these publications, along with sample pages from these publications listing the prices of the good/service within your country and in world markets during the POI.

**ANSWER:**

**Questions Regarding the Producers of Steel Channels:**

1. Please provide the following document: SASAC Decree No.28, “Interim Measures for the Administration and Supervision of Central SOEs’ Overseas Investment”, March 18, 2012.

**ANSWER:**

2. Please provide documentation and explanation of the different categories of industries and enterprises such as “backbone”, “pillar,” “key,” “core,” “strategic,” “focus,” *etc.*, especially as enumerated in the national 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> and 12<sup>th</sup> five-year plans, sector-specific industrial plans, provincial and local five year development plans and sector specific industrial plans, *Guiding Opinions Promoting the Adjustment of State-owned Capital and the Reorganization of State-owned Enterprises*, and other planning documents. Please state whether enterprises or industries that produce steel channels and/or the industries to which respondents belong are categorized as such. Please explain the policy rationale for such a designation. Please provide the original Chinese and fully translated copies of any such documents which provides this designation, together with a narrative explaining the purpose of each.

**ANSWER:**

3. Explain the objectives of the Government in holding shares in the enterprises, and whether those objectives are defined in any Government proclamation, regulation, decree, opinion, law or policy. Provide original Chinese and fully translated copies of any supporting documents. Please also explain the relevant Government ownership policy regarding the enterprises or the industry addressed in the Input Producer Appendix and/or the industries to which respondents belong.

**ANSWER:**

4. Please explain if the industry in which the enterprises that produce steel channels and/or the industries to which respondents belong are covered by any central, provincial or local Government five-year plans, industry-specific plans or policy, investment guide, catalogue or any other Government planning or policy documents that are relevant to the POI. If so, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of each.

**ANSWER:**

5. If any of the producers addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are explicitly mentioned in any central, provincial or local, Government industry five-year plans, industry-specific plan or

policy, investment guide, catalogue, or any other Government planning or policy documents that are relevant to the POI, please reference and provide a narrative explaining such discussions. Also, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of such policy.

**ANSWER:**

6. Please explain if the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are subject to Governmental approval for any mergers, restructurings, or capacity additions. If so, please explain the process for such an approval by the Government and whether such an approval is linked to the steel channels industry.

**ANSWER:**

7. Please explain if the SASAC, or any other Government entity, has approved mergers, acquisitions, capacity additions or reductions for the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong during or in the 11 years preceding the POI. If so, please identify the Government entities that approved such measures and provide a list of the enterprises subject to the decision.

**ANSWER:**

**5. Provision of Steel Angles for LTAR**

The GOC expressly asserts that there is no government “program” for the provision of goods or services to the FSS industry at LTAR. Please see the detailed discussion below. In the course of preparing this questionnaire response, the GOC requested the mandatory respondents to identify their input suppliers. The GOC found that most, if not all, of respondents’ suppliers of inputs involved in this case are private companies. Although the GOC cannot collect the huge amount of documentation and information required in the *Input Producer Appendix* in such a limited period of time, for purposes of cooperation in this investigation the GOC is submitting with response the basic information and ownership structure of all the suppliers of the inputs supplied to the mandatory respondents during the POI.

At the outset, the GOC emphasizes that none of the input suppliers that produce the alleged inputs used by the mandatory respondents during the POI are “authorities” within the meaning of applicable U.S. law or “public bodies” within the meaning of the WTO Agreement on Subsidies and Countervailing Measures (“SCM”). The WTO Appellate Body has confirmed that majority government ownership, or even “meaningful” government control of an entity, does not alone establish that a government has bestowed the entity with “governmental authority,” a requisite finding to establish that an entity is a “public body” within the meaning of the SCM. United States – Definitive Anti-Dumping And Countervailing Duties On Certain Products From China, WT/DS379/AB/R, AB-201003, paras. 318, 346 (11 March 2011). Furthermore, the Appellate Body ruled explicitly that it is the duty of the investigating WTO member to evaluate the relevant evidence in an objective manner to ensure that its determination is based on a sufficient factual basis, and not the burden of respondents to submit evidence to overcome a presumption that majority ownership alone meets the evidentiary requirement to find an entity is an “authority” or “public body.”

Furthermore, as foreign-invested and privately owned companies, all the input producers in this investigation are independent business entities, operating on commercial bases. They make decisions independently with respect to their day-to-day commercial operations, including production, contract signing, price-setting, and commercial negotiations, without any interference or influence from any government agencies.

The GOC also notes its concern with the Department’s questionnaire regarding the “key persons” the Department requires the GOC to identify, in terms of individual owners, members of the board of directors, or senior managers of certain suppliers that whether these individuals

were Government and/or CCP organization officials during the POI. As the GOC has submitted numerous times, the GOC does not maintain a central record of this information.

The GOC further stresses that input pricing fluctuates in accordance with market dynamics. The respondents' purchases of the alleged inputs during the POI did not result in a benefit in this case. These inputs markets in China operate under market conditions, and the GOC does not interfere in or influence pricing in these markets.

Finally, no specificity exists in the provision of the alleged inputs. There are a vast and virtually unlimited number of industrial uses for the alleged inputs. Furthermore, the FSS industry in China is not a disproportionate or predominant consumer of the alleged inputs, as explained in more detail below. The GOC does not impose any limitation on the consumption of pig iron and ferrous scraps by law or by policy. Sales and purchases are necessarily dictated by the market and driven by the forces of supply and demand. Accordingly, there is no specificity in the provision of such inputs within the meaning of Article 2 of the "SCM".

**Questions Regarding the Steel Angles:**

1. **Please provide the information requested in the Input Producer Appendix.**

**ANSWER:**

2. **Provide the following information concerning the steel angles industry in China for the POI and the prior two years, including an explanation of the sources used to compile the information.**

**ANSWER:**

**Identify the precise product code/industry classification used to collect the reported data. Provide the complete description for this code/classification.**

- a. **The total number of producers.**

- b. The total volume and value of Chinese domestic consumption of steel angles and the total volume and value of Chinese domestic production of steel angles.
  - k. The percentage of domestic consumption accounted for by domestic production.
  - l. The total volume and value of imports of steel angles.
  - e. The percentage of total volume and (separately) value of domestic production that is accounted for by companies in which the Government maintains a majority ownership or a controlling management interest, either directly or through other Government entities. Please also provide a list of the companies that meet these criteria.
  - f. If the share of total volume and/or value of production that is accounted for by the companies identified in paragraph “e”, above, is less than 50 percent, please provide the following information:
    - xiii. The percentage of total volume and value of domestic production that is accounted for by companies in which the Government maintains some, but not a majority, ownership interest or some, but not a controlling, management interest, either directly or through other Government entities.
    - xiv. A list of the companies that meet the criteria under sub-paragraph “i”, above.
    - xv. A detailed explanation of how it was determined that the government has less than a majority ownership or less than a controlling interest in such companies, including identification of the information sources relied upon to make this assessment.
  - g. A discussion of what laws, plans or policies address the pricing of steel angles, the levels of production of steel angles, the importation or exportation of steel angles, or the development of steel angles capacity. Please state which, if any, central and sub-central level industrial policies pertain to the steel angles.
3. If there is a(n) steel angles association in China, please provide the rules or guidelines under which it operates and a list of its members. If there is not a steel angles association, provide the rules, guidelines, and a list of members for the

narrowest industry association that would include steel angles producers (*e.g.*, steel association).

**ANSWER:**

4. Are there or have there been in the POI or in the previous two years any export or price controls on steel angles or any price floors or ceilings established?

**ANSWER:**

5. Please state the VAT and import tariff rates in effect for steel angles in January 1, 2018 through December 31, 2018 and the prior two years.

**ANSWER:**

6. Was there was an export tariff or quota on steel angles during the POI? If so, please report the tariff rate or quota amount in effect and provide a translated copy of the regulation/law in which the export tariff rate or quota is reported.

**ANSWER:**

7. Indicate whether export licensing requirements were in place during the POI with regard to steel angles. If so, please provide a translated copy of the regulation/law in which the export licensing requirements are explained.

**ANSWER:**

8. Provide a list of the industries in China that purchase steel angles directly, using a consistent level of industrial classification. Provide the amounts (volume and value) purchased by the industry in which the mandatory respondent companies operate, as well as the totals purchased by every other industry. In identifying the industries, please use whatever resource or classification scheme the Government normally relies upon to define industries and to classify companies within an industry. Please provide the relevant classification guidelines, and please ensure the list provided reflects consistent levels of industrial classification. Please clearly identify the industry in which the companies under investigation are classified.

**ANSWER:**

9. Are there trade publications that specify the prices of the good/service within your country and on the world market? Provide a list of these publications, along with sample pages from these publications listing the prices of the good/service within your country and in world markets during the POI.

**ANSWER:**



**Questions Regarding the Producers of Steel Angles:**

1. Please provide the following document: SASAC Decree No.28, “Interim Measures for the Administration and Supervision of Central SOEs’ Overseas Investment”, March 18, 2012.

**ANSWER:**

2. Please provide documentation and explanation of the different categories of industries and enterprises such as “backbone”, “pillar,” “key,” “core,” “strategic,” “focus,” *etc.*, especially as enumerated in the national 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> and 12<sup>th</sup> five-year plans, sector-specific industrial plans, provincial and local five year development plans and sector specific industrial plans, *Guiding Opinions Promoting the Adjustment of State-owned Capital and the Reorganization of State-owned Enterprises*, and other planning documents. Please state whether enterprises or industries that produce steel angles and/or the industries to which respondents belong are categorized as such. Please explain the policy rationale for such a designation. Please provide the original Chinese and fully translated copies of any such documents which provides this designation, together with a narrative explaining the purpose of each.

**ANSWER:**

3. Explain the objectives of the Government in holding shares in the enterprises, and whether those objectives are defined in any Government proclamation, regulation, decree, opinion, law or policy. Provide original Chinese and fully translated copies of any supporting documents. Please also explain the relevant Government ownership policy regarding the enterprises or the industry addressed in the Input Producer Appendix and/or the industries to which respondents belong.

**ANSWER:**

4. Please explain if the industry in which the enterprises that produce steel angles and/or the industries to which respondents belong are covered by any central, provincial or local Government five-year plans, industry-specific plans or policy, investment guide, catalogue or any other Government planning or policy documents that are relevant to the POI. If so, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of each.

**ANSWER:**

5. If any of the producers addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are explicitly mentioned in any central, provincial or local, Government industry five-year plans, industry-specific plan or policy, investment guide, catalogue, or any other Government planning or policy documents that are relevant to the POI, please reference and provide a narrative explaining such discussions. Also, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of such policy.

**ANSWER:**

6. Please explain if the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are subject to Governmental approval for any mergers, restructurings, or capacity additions. If so, please explain the process for such an approval by the Government and whether such an approval is linked to the steel angles industry.

**ANSWER:**

7. Please explain if the SASAC, or any other Government entity, has approved mergers, acquisitions, capacity additions or reductions for the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong during or in the 11 years preceding the POI. If so, please identify the Government entities that approved such measures and provide a list of the enterprises subject to the decision.

**ANSWER:**

6. **Provision of Hollow Structural Shapes for LTAR**

**Questions Regarding the Hollow Structural Shapes:**

The GOC expressly asserts that there is no government “program” for the provision of goods or services to the FSS industry at LTAR. Please see the detailed discussion below. In the course of preparing this questionnaire response, the GOC requested the mandatory respondents to identify their input suppliers. The GOC found that most, if not all, of respondents’ suppliers of inputs involved in this case are private companies. Although the GOC cannot collect the huge amount of documentation and information required in the Input Producer Appendix in such a limited period of time, for purposes of cooperation in this investigation the GOC is submitting

with response the basic information and ownership structure of all the suppliers of the inputs supplied to the mandatory respondents during the POI.

At the outset, the GOC emphasizes that none of the input suppliers that produce the alleged inputs used by the mandatory respondents during the POI are “authorities” within the meaning of applicable U.S. law or “public bodies” within the meaning of the WTO Agreement on Subsidies and Countervailing Measures (“SCM”). The WTO Appellate Body has confirmed that majority government ownership, or even “meaningful” government control of an entity, does not alone establish that a government has bestowed the entity with “governmental authority,” a requisite finding to establish that an entity is a “public body” within the meaning of the SCM. United States – Definitive Anti-Dumping And Countervailing Duties On Certain Products From China, WT/DS379/AB/R, AB-201003, paras. 318, 346 (11 March 2011). Furthermore, the Appellate Body ruled explicitly that it is the duty of the investigating WTO member to evaluate the relevant evidence in an objective manner to ensure that its determination is based on a sufficient factual basis, and not the burden of respondents to submit evidence to overcome a presumption that majority ownership alone meets the evidentiary requirement to find an entity is an “authority” or “public body.”

Furthermore, as foreign-invested and privately owned companies, all the input producers in this investigation are independent business entities, operating on commercial bases. They make decisions independently with respect to their day-to-day commercial operations, including production, contract signing, price-setting, and commercial negotiations, without any interference or influence from any government agencies.

The GOC also notes its concern with the Department’s questionnaire regarding the “key persons” the Department requires the GOC to identify, in terms of individual owners, members

of the board of directors, or senior managers of certain suppliers that whether these individuals were Government and/or CCP organization officials during the POI. As the GOC has submitted numerous times, the GOC does not maintain a central record of this information.

The GOC further stresses that input pricing fluctuates in accordance with market dynamics. The respondents' purchases of the alleged inputs during the POI did not result in a benefit in this case. These inputs markets in China operate under market conditions, and the GOC does not interfere in or influence pricing in these markets.

Finally, no specificity exists in the provision of the alleged inputs. There are a vast and virtually unlimited number of industrial uses for the alleged inputs. Furthermore, the FSS industry in China is not a disproportionate or predominant consumer of the alleged inputs, as explained in more detail below. The GOC does not impose any limitation on the consumption of pig iron and ferrous scraps by law or by policy. Sales and purchases are necessarily dictated by the market and driven by the forces of supply and demand. Accordingly, there is no specificity in the provision of such inputs within the meaning of Article 2 of the "SCM".

**1. Please provide the information requested in the Input Producer Appendix.**

**ANSWER:**

**2. Provide the following information concerning the hollow structural shapes industry in China for the POI and the prior two years, including an explanation of the sources used to compile the information.**

**ANSWER:**

**Identify the precise product code/industry classification used to collect the reported data. Provide the complete description for this code/classification.**

**a. The total number of producers.**

- b. The total volume and value of Chinese domestic consumption of hollow structural shapes and the total volume and value of Chinese domestic production of hollow structural shapes.
  - m. The percentage of domestic consumption accounted for by domestic production.
  - n. The total volume and value of imports of hollow structural shapes.
  - e. The percentage of total volume and (separately) value of domestic production that is accounted for by companies in which the Government maintains a majority ownership or a controlling management interest, either directly or through other Government entities. Please also provide a list of the companies that meet these criteria.
  - f. If the share of total volume and/or value of production that is accounted for by the companies identified in paragraph “e”, above, is less than 50 percent, please provide the following information:
    - xvi. The percentage of total volume and value of domestic production that is accounted for by companies in which the Government maintains some, but not a majority, ownership interest or some, but not a controlling, management interest, either directly or through other Government entities.
    - xvii. A list of the companies that meet the criteria under sub-paragraph “i”, above.
    - xviii. A detailed explanation of how it was determined that the government has less than a majority ownership or less than a controlling interest in such companies, including identification of the information sources relied upon to make this assessment.
  - g. A discussion of what laws, plans or policies address the pricing of hollow structural shapes, the levels of production of hollow structural shapes, the importation or exportation of hollow structural shapes, or the development of hollow structural shapes capacity. Please state which, if any, central and sub-central level industrial policies pertain to the hollow structural shapes.
3. If there is a(n) hollow structural shapes association in China, please provide the rules or guidelines under which it operates and a list of its members. If there is not a hollow structural shapes association, provide the rules, guidelines, and a list of members for the narrowest industry association that would include hollow structural shapes producers (e.g., steel association).

**ANSWER:**

4. Are there or have there been in the POI or in the previous two years any export or price controls on hollow structural shapes or any price floors or ceilings established?

**ANSWER:**

5. Please state the VAT and import tariff rates in effect for hollow structural shapes in January 1, 2018 through December 31, 2018 and the prior two years.

**ANSWER:**

6. Was there was an export tariff or quota on hollow structural shapes during the POI? If so, please report the tariff rate or quota amount in effect and provide a translated copy of the regulation/law in which the export tariff rate or quota is reported.

**ANSWER:**

7. Indicate whether export licensing requirements were in place during the POI with regard to hollow structural shapes. If so, please provide a translated copy of the regulation/law in which the export licensing requirements are explained.

**ANSWER:**

8. Provide a list of the industries in China that purchase hollow structural shapes directly, using a consistent level of industrial classification. Provide the amounts (volume and value) purchased by the industry in which the mandatory respondent companies operate, as well as the totals purchased by every other industry. In identifying the industries, please use whatever resource or classification scheme the Government normally relies upon to define industries and to classify companies within an industry. Please provide the relevant classification guidelines, and please ensure the list provided reflects consistent levels of industrial classification. Please clearly identify the industry in which the companies under investigation are classified.

**ANSWER:**

9. Are there trade publications that specify the prices of the good/service within your country and on the world market? Provide a list of these publications, along with

sample pages from these publications listing the prices of the good/service within your country and in world markets during the POI.

**ANSWER:**

**Questions Regarding the Producers of Hollow Structural Shapes:**

1. Please provide the following document: SASAC Decree No.28, “Interim Measures for the Administration and Supervision of Central SOEs’ Overseas Investment”, March 18, 2012.

**ANSWER:**

2. Please provide documentation and explanation of the different categories of industries and enterprises such as “backbone”, “pillar,” “key,” “core,” “strategic,” “focus,” etc., especially as enumerated in the national 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> and 12<sup>th</sup> five-year plans, sector-specific industrial plans, provincial and local five year development plans and sector specific industrial plans, *Guiding Opinions Promoting the Adjustment of State-owned Capital and the Reorganization of State-owned Enterprises*, and other planning documents. Please state whether enterprises or industries that produce hollow structural shapes and/or the industries to which respondents belong are categorized as such. Please explain the policy rationale for such a designation. Please provide the original Chinese and fully translated copies of any such documents which provides this designation, together with a narrative explaining the purpose of each.

**ANSWER:**

3. Explain the objectives of the Government in holding shares in the enterprises, and whether those objectives are defined in any Government proclamation, regulation, decree, opinion, law or policy. Provide original Chinese and fully translated copies of any supporting documents. Please also explain the relevant Government ownership policy regarding the enterprises or the industry addressed in the Input Producer Appendix and/or the industries to which respondents belong.

**ANSWER:**

4. Please explain if the industry in which the enterprises that produce hollow structural shapes and/or the industries to which respondents belong are covered by any central, provincial or local Government five-year plans, industry-specific plans or policy, investment guide, catalogue or any other Government planning or policy documents that are relevant to the POI. If so, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of each.

**ANSWER:**

5. If any of the producers addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are explicitly mentioned in any central, provincial or local, Government industry five-year plans, industry-specific plan or policy, investment guide, catalogue, or any other Government planning or policy documents that are relevant to the POI, please reference and provide a narrative explaining such discussions. Also, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of such policy.

**ANSWER:**

6. Please explain if the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are subject to Governmental approval for any mergers, restructurings, or capacity additions. If so, please explain the process for such an approval by the Government and whether such an approval is linked to the hollow structural shapes industry.

**ANSWER:**

7. Please explain if the SASAC, or any other Government entity, has approved mergers, acquisitions, capacity additions or reductions for the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong during or in the 11 years preceding the POI. If so, please identify the Government entities that approved such measures and provide a list of the enterprises subject to the decision.

**ANSWER:**

7. **Provision of Iron Ore for LTAR**

**Questions Regarding the Iron Ore:**

1. Please provide the information requested in the Input Producer Appendix.

**ANSWER:**

2. Provide the following information concerning the iron ore industry in China for the POI and the prior two years, including an explanation of the sources used to compile the information.

**ANSWER:**



**Identify the precise product code/industry classification used to collect the reported data. Provide the complete description for this code/classification.**

- a. The total number of producers.**
- b. The total volume and value of Chinese domestic consumption of iron ore and the total volume and value of Chinese domestic production of iron ore.**
- o. The percentage of domestic consumption accounted for by domestic production.**
- p. The total volume and value of imports of iron ore.**
- e. The percentage of total volume and (separately) value of domestic production that is accounted for by companies in which the Government maintains a majority ownership or a controlling management interest, either directly or through other Government entities. Please also provide a list of the companies that meet these criteria.**
- f. If the share of total volume and/or value of production that is accounted for by the companies identified in paragraph “e”, above, is less than 50 percent, please provide the following information:**
  - xix. The percentage of total volume and value of domestic production that is accounted for by companies in which the Government maintains some, but not a majority, ownership interest or some, but not a controlling, management interest, either directly or through other Government entities.**
  - xx. A list of the companies that meet the criteria under sub-paragraph “i”, above.**
  - xxi. A detailed explanation of how it was determined that the government has less than a majority ownership or less than a controlling interest in such companies, including identification of the information sources relied upon to make this assessment.**
- g. A discussion of what laws, plans or policies address the pricing of iron ore, the levels of production of iron ore, the importation or exportation of iron ore, or the development of iron ore capacity. Please state which, if any, central and sub-central level industrial policies pertain to the iron ore.**

**ANSWER:**

3. If there is a(n) iron ore association in China, please provide the rules or guidelines under which it operates and a list of its members. If there is not an iron ore association, provide the rules, guidelines, and a list of members for the narrowest industry association that would include iron ore producers (*e.g.*, iron miners association).

**ANSWER:**

4. Are there or have there been in the POI or in the previous two years any export or price controls on iron ore or any price floors or ceilings established?

**ANSWER:**

5. Please state the VAT and import tariff rates in effect for iron ore in January 1, 2018 through December 31, 2018 and the prior two years.

**ANSWER:**

6. Was there was an export tariff or quota on iron ore during the POI? If so, please report the tariff rate or quota amount in effect and provide a translated copy of the regulation/law in which the export tariff rate or quota is reported.

**ANSWER:**

7. Indicate whether export licensing requirements were in place during the POI with regard to iron ore. If so, please provide a translated copy of the regulation/law in which the export licensing requirements are explained.

**ANSWER:**

8. Provide a list of the industries in China that purchase iron ore directly, using a consistent level of industrial classification. Provide the amounts (volume and value) purchased by the industry in which the mandatory respondent companies operate, as well as the totals purchased by every other industry. In identifying the industries, please use whatever resource or classification scheme the Government normally relies upon to define industries and to classify companies within an industry. Please provide the relevant classification guidelines, and please ensure the list provided reflects consistent levels of industrial classification. Please clearly identify the industry in which the companies under investigation are classified.

**ANSWER:**

9. Are there trade publications that specify the prices of the good/service within your country and on the world market? Provide a list of these publications, along with

sample pages from these publications listing the prices of the good/service within your country and in world markets during the POI.

**ANSWER:**

**Questions Regarding the Producers of Iron Ore:**

**ANSWER:**

1. Please provide the following document: SASAC Decree No.28, “Interim Measures for the Administration and Supervision of Central SOEs’ Overseas Investment”, March 18, 2012.
2. Please provide documentation and explanation of the different categories of industries and enterprises such as “backbone”, “pillar,” “key,” “core,” “strategic,” “focus,” *etc.*, especially as enumerated in the national 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> and 12<sup>th</sup> five-year plans, sector-specific industrial plans, provincial and local five year development plans and sector specific industrial plans, *Guiding Opinions Promoting the Adjustment of State-owned Capital and the Reorganization of State-owned Enterprises*, and other planning documents. Please state whether enterprises or industries that produce iron ore and/or the industries to which respondents belong are categorized as such. Please explain the policy rationale for such a designation. Please provide the original Chinese and fully translated copies of any such documents which provides this designation, together with a narrative explaining the purpose of each.
3. Explain the objectives of the Government in holding shares in the enterprises, and whether those objectives are defined in any Government proclamation, regulation, decree, opinion, law or policy. Provide original Chinese and fully translated copies of any supporting documents. Please also explain the relevant Government ownership policy regarding the enterprises or the industry addressed in the Input Producer Appendix and/or the industries to which respondents belong.
4. Please explain if the industry in which the enterprises that produce iron ore and/or the industries to which respondents belong are covered by any central, provincial or local Government five-year plans, industry-specific plans or policy, investment guide, catalogue or any other Government planning or policy documents that are relevant to the POI. If so, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of each.

5. **If any of the producers addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are explicitly mentioned in any central, provincial or local, Government industry five-year plans, industry-specific plan or policy, investment guide, catalogue, or any other Government planning or policy documents that are relevant to the POI, please reference and provide a narrative explaining such discussions. Also, please provide the original Chinese and fully translated copies of any such documents together with a narrative explaining the purpose of such policy.**
6. **Please explain if the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong are subject to Governmental approval for any mergers, restructurings, or capacity additions. If so, please explain the process for such an approval by the Government and whether such an approval is linked to the iron ore industry.**
7. **Please explain if the SASAC, or any other Government entity, has approved mergers, acquisitions, capacity additions or reductions for the enterprises or industry addressed in the *Input Producer Appendix* and/or the industries to which respondents belong during or in the 11 years preceding the POI. If so, please identify the Government entities that approved such measures and provide a list of the enterprises subject to the decision.**

8. **Provision of Electricity for LTAR**

**Please provide the information requested in the Electricity Appendix.**

**ANSWER:**

9. **Provision of Land Use Rights to Favored Industries for LTAR**

At the outset, the GOC would assert that there is no such program entitled “Provision of Land Use Rights for LTAR.” In order to develop the record concerning the land use rights that the mandatory respondent obtained, and to place the necessary evidence on the record that shows the provision of land use rights in this investigation was not for LTAR, the GOC responds to the questions below. However, the GOC reiterates that, even if the GOC provides the response to below questions, the GOC does not waive its position that there is no alleged subsidy program.

1. Please identify all instances in which land or land-use rights in were provided by the GOC to any mandatory respondent after December 11, 2001, through the end of the POI.

**ANSWER:**

2. If land or land-use rights were provided to a mandatory respondent during this period, please provide all government laws or regulations (at all levels of government) pertaining to the provision of land or land-use rights.

**ANSWER:**

3. Indicate whether the provision of land or land-use rights was contingent upon the firm's status (*e.g.*, state-owned enterprise, located in a particular geographical area, etc.) or activity (*e.g.*, export sales, purchases from domestic suppliers, etc.).

**ANSWER:**

#### **E. OTHER SUBSIDIES**

Does the GOC (or entities owned directly, in whole or in part, by the GOC or any provincial or local government) provide, directly or indirectly, any other forms of assistance to producers or exporters of fabricated structural steel? Please coordinate with the respondent companies to determine if they are reporting usage of any subsidy program(s). For each such program, please describe such assistance in detail, including the amounts, date of receipt, purpose and terms, and answer all questions in the Standard Questions Appendix, as well as other appropriate appendices attached to this questionnaire.

**ANSWER:**

### ***SECTION III***

#### ***QUESTIONNAIRE FOR PRODUCERS/EXPORTERS OF CERTAIN FABRICATED STRUCTURAL STEEL FROM THE PEOPLE'S REPUBLIC OF CHINA***

This questionnaire requests information about programs alleged to be provided to producers/exporters in China of certain fabricated structural steel (fabricated structural steel) or “subject merchandise”. Section 775 of the Act also requires Commerce to investigate any other programs discovered during the course of this investigation that potentially confer countervailable subsidies on the manufacture, production, or exportation of subject merchandise.

For general instructions, please review *Section I* of this questionnaire.

Commerce has standardized the appendices to *Section II* and *Section III* of this questionnaire; one or more of the appendices may not be applicable to the circumstances of this investigation. You should only respond to the questions in a specific appendix if it is identified under a specific question below.

Your government may contend that certain programs listed below are not countervailable. For these programs, you must still fully respond to the questions below, unless specifically instructed otherwise.

#### **OTHER COMPANIES SUBJECT TO INVESTIGATION**

In addition to providing a response to this questionnaire regarding your own company, we require responses from certain affiliated companies or companies involved in your sales of subject merchandise, as explained below in sections A through D. A failure on the part of any such companies to provide a response to this questionnaire may adversely affect your own results in this investigation. For the remainder of this questionnaire, the terms respondent(s), company respondent(s), “you,” or “your company,” refer not just to your company, but to all companies required to complete this questionnaire. Please provide separate answers under each question and separate spreadsheets for each of these companies.

**Identification of the companies that you must include in your response is necessary early in this investigation. Therefore, within 14 days of the date of this questionnaire, please submit to Commerce a list of the companies that you intend to include as part of your questionnaire response under the criteria in sections A through D below. Also within 14 days of the date of this questionnaire, please respond to questions C.1 and C.2 under the “Affiliated Companies” section below.**

Unless specified differently, your answers to the requests below should cover your company’s situation during the POI. Usage of the present tense in this section refers to the POI.

We also instruct you to provide a list of those companies for which you are responding to your government as soon as possible so that the government can include these companies in its response to this questionnaire.

The companies that must submit a complete response are the following:

A. Producers Supplying Exporters

If your company exported subject merchandise produced by other companies in your country during the POI, then you must submit complete questionnaire responses for all producers that supply your company.

B. Export Trading Companies

If your company sells the subject merchandise to an export trading company which then exports the subject merchandise to the United States, then you must submit complete questionnaire responses for all such trading companies.

C. Affiliated Companies

Affiliation is defined in section 771(33)(A)-(G) of the Act. Affiliation can be indicated by a number of factors, including: (1) personal family groupings, (2) corporate groupings, (3) shared board members or executive officers, (4) employer and employee relationships among owners, board members, or executive officers of multiple parties, (5) one party's ownership or control of stock with voting privileges in another, (6) franchise and joint venture agreements, (7) close supplier relationships, and (8) other indicia of control by one party over another, directly, or indirectly through third parties. "Control" exists where one party is legally or operationally in a position to exercise restraint or direction over another party.

Please provide the following information about your company's affiliated companies:

1. The identity of all companies with which your company is affiliated within the meaning of section 771(33) of the Act, including the full name and mailing address of each company.
2. Describe in detail the nature of the relationship between your company and those companies listed in response to the prior question. Specify for example, whether the companies share a board of directors, or whether members of each company's board sit on the board(s) of the other company(ies), and how the voting rights are distributed among board members; specify if, and how, officers of one company are directly involved in overseeing the operations of another company. Specify whether an affiliated company supplies inputs into your company's production process.

You must provide complete responses for certain "cross-owned" affiliated companies.

Cross-ownership exists between two companies where one company can use or direct the individual assets of another company in essentially the same ways it can use its own assets. Normally, such a relationship exists between two companies where one company holds, directly or indirectly, a majority voting interest in the other. In addition, if two companies are both cross-owned by a third party, the two companies themselves would be considered cross-owned (for example, cross-ownership exists between two companies owned by the same parent).

You must provide a complete questionnaire response for those affiliates where "cross-ownership" exists, and one of the following situations exists:

- the cross-owned company produces the subject merchandise; or
- the cross-owned company is a holding company or a parent company (with its own operations) of your company;<sup>1</sup> or
- the cross-owned company supplies an input product to you for production of the downstream product produced by the respondent; or
- the cross-owned company has received a subsidy and transferred it to your company.

D. Former Owners / Changes in Ownership

Commerce allocates the benefits received from certain types of subsidies over time (*e.g.*, equity infusions, non-recurring grants, debt forgiveness, import duty or value-added tax exemptions or reductions on capital equipment, *etc.*). See 19 CFR 351.524 and subsection C of the “General Questions” section below for a complete explanation.

Thus, in addition to investigating alleged subsidies that your company may have received during the POI, Commerce is also investigating alleged allocable, non-recurring subsidies that your company may have received during the AUL period.<sup>2</sup> Because of this, you must file a response for all cross-owned affiliates that met any of the conditions listed above under sub-section C during the AUL period. For example, if your company was cross-owned with another company during the AUL period but prior to the POI, and that other company met one of the conditions above, you must include a response on behalf of that other company.

Finally, if your company obtained all or substantially all the assets of another company during the AUL period, and that company still exists as an ongoing entity, we require a complete questionnaire response for such company. It is essential to include a discussion of all such “change in ownership” transactions within your responses to the questions below regarding your company’s history.

**GENERAL QUESTIONS**

- A. Please provide the following information for your company, as well as for each cross-owned affiliate, as defined above, that is involved in the manufacture, production or exportation of subject merchandise. Please also provide the information for all trading companies (whether or not affiliated), through which your company sold subject merchandise to the United States during the POI, in accordance with 19 CFR 351.525(c).

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<sup>1</sup> Your response must cover all cross-owned parent companies and holding companies, not only companies that directly held a controlling stake in your company during or prior to the POI. For example, if your company was a direct subsidiary of one cross-owned company, and that company was a direct subsidiary of another cross-owned company, then you must respond on behalf of both the cross-owned parent and the cross-owned “grandparent” companies. By direct subsidiary, we are referring to a company that is directly owned by another company. An indirect subsidiary, by contrast, has an intermediate owner between itself and the ultimate owner.

<sup>2</sup> Commerce has determined that, for proceedings involving imports from China, the AUL period notwithstanding, Commerce will not investigate subsidies provided prior to December 11, 2001.



1. The addresses of the company's headquarters, plant, and export facilities.
2. A description of the company. Please include in your response:
  - a. the date the company was formed;
  - b. a history of the company's ownership;
  - c. whether your company is (a) foreign-invested enterprise ("FIE"), (b) "productive" FIE, (c) state-owned enterprise ("SOE"), (d) domestically-owned enterprise, or (e) other;
  - d. the products the company produces and/or sells;
  - e. names of your owners, board members, and upper management, along with a description of their positions with other companies and with your government; and
  - f. explain whether the GOC or a local government authority (*e.g.*, provincial, municipal, county) has designated your company and/or industry as "pillar," "encouraged," "key," "honorable," or any other designation. If so, explain the purpose of these designations, the criteria for receiving any such designations, and the benefits or obligations that arise from and such designations.
3. Using diagrams and/or flow charts, describe the process by which your company produces the subject merchandise. If different steps of the production process occur in different production units, divisions, or affiliated companies, please identify those production units, divisions, or affiliated companies.
4. Does your company (including cross-owned affiliates) export subject merchandise produced by other companies in China? If so, please identify the name and address of each such supplier of subject merchandise.
5. Please provide your company's complete audited financial statements for the last three fiscal years. (Please provide the financial statements in English, if available. If they are not available in English, provide translations of the income statement, the balance sheet, the cash flow statement, the statement of change in equity, all notes thereto, and the auditor's opinion.) These should be the official financial statements filed with your government. If there is no such filing requirement, the financial statements should be those presented to banks or independent third parties. The financial statements should include the complete set of statements, e.g., income statement, balance sheet, cash flow statement, statement of change in equity, all notes thereto, and the auditor's opinion. If you do not prepare audited financial statements, please provide whatever unaudited financial statements that are prepared for your board of directors, your shareholders, and for the government.

6. Please provide complete, translated tax returns filed during the POI (preferably a copy of the tax return stamped by the government). Include all schedules and attachments included with your return. In addition, please provide any amendments to your return.
7. Please provide your most up-to-date business registration documents filed with government authorities. If your business registration documents do not indicate the names of your company's owners during the POI, please provide additional documentation that does. If the documents identify corporate owners which own more than 10 percent of your company, please identify the owners of your company's corporate owners.
8. Provide the HTSUS subheadings or your country's tariff schedule numbers under which you export the subject merchandise.

- B.** Please provide the following information for your company **for the POI**. Do not include the volume and value of merchandise produced outside China or returned merchandise. Separately report the value of services sold by your company, if any. **In addition, separately report the value of sales by each cross-owned company, as well as the value of sales between your company and the cross-owned company.**

**For years prior to the POI**, please report sales information for the years of approval and receipt of non-recurring subsidies you report. See, e.g., the Grant and Allocation Appendix. Please report sales information for all responding cross-owned companies during these years, not only sales information for the recipient of the subsidy.

If the actual values recorded in your accounting records are booked on a basis other than f.o.b., please describe any adjustments that were made to derive the f.o.b. values. In addition, if your sales are inclusive of VAT or other indirect taxes, please ensure that such taxes are removed from your sales figures.

1. Total Sales

The quantity and f.o.b. value of total sales (both subject and non-subject merchandise) to all markets (domestic and foreign). Please report the sales value on an f.o.b. (port) basis with respect to export sales and/or on an f.o.b. (factory) basis for domestic sales. Provide a worksheet reconciling the total reported sales value to your financial statements.

2. Sales of Subject Merchandise

The quantity and f.o.b. value of the subject merchandise sold to all markets (domestic and foreign). Please report the sales value on an f.o.b. (port) basis with respect to export sales and/or on an f.o.b. (factory) basis for domestic sales.

3. Total Exports

The total quantity and f.o.b. (port) value of export sales (both subject and non-subject merchandise) to all markets.

4. Total Exports to the United States

The total quantity and f.o.b. (port) value of export sales (both subject and non-subject merchandise) to the United States.

5. Exports of Subject Merchandise

The total quantity and f.o.b. (port) value of the subject merchandise exported to all markets (including the United States).

6. Exports to the United States of Subject Merchandise

The total quantity and f.o.b. (port) value of the subject merchandise exported to the United States.

**Regarding 1 – 6 above:** Please explain how the sales of subject merchandise are recorded in your company's financial records. Are your company's sales consolidated with those of other companies in the financial report of a parent, holding company, or group of companies? If so, please explain how, and provide copies of the consolidated financial statements.

- C. As established in 19 CFR 351.524(d)(2), the allocation period for non-recurring<sup>1</sup> subsidies is defined by the AUL of renewable physical assets for the industry concerned, as listed in the U.S. Internal Revenue Service's Depreciation Range System (IRS tables). The AUL listed in the IRS tables that applies to this investigation is 12 years.

Parties may rebut the presumption to use the IRS tables by demonstrating either that the company-specific AUL or country-wide AUL for the industry in the respondent country differs by one year or more from the AUL in the IRS tables for the industry under investigation. Unless the parties establish that the IRS tables do not reasonably reflect the AUL of a firm's assets, however, Commerce will rely on the IRS tables to define the appropriate AUL.

If your company chooses to rebut the presumption to use the IRS tables, please respond to the Average Useful Life Appendix. **If you do not want to rebut the use of the AUL in the IRS tables, you do not need to answer the questions in the Average Useful Life Appendix.**

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<sup>1</sup> For definitions of **recurring** and **non-recurring** benefits, see the Grant and Allocation Appendix; see also 19 CFR 351.524(c).

## **PROGRAM-SPECIFIC QUESTIONS**

*For each program, if your company (including cross-owned affiliates required to respond, as well as all trading companies) did not apply for, use, or benefit from that program during the POI, you must clearly state so. Otherwise, please answer the questions listed. To determine the information which must be reported under each program, please see the instructions for each program in this section of the questionnaire and in the referenced appendices.*

If any government assistance, as enumerated below, was received by companies which have since been merged with or purchased by your company, you are responsible for answering the questions with respect to such assistance to the merged or purchased company.

For detailed descriptions of the programs listed below, see Attachment C of Section II (the Initiation Checklist), and consult with the GOC.

### **A. GRANT PROGRAMS**

#### **Capital Injections and Other Payments from the State Capital Operating Budget**

Please respond to all questions in the following appendices:

1. **Standard Questions Appendix**, and
2. **Grant and Allocation Appendix**.

#### **Foreign Trade Development Fund Grants**

Please respond to all questions in the following appendices:

1. **Standard Questions Appendix**, and
2. **Grant and Allocation Appendix**.

#### **Export Assistance Grants**

Please respond to all questions in the following appendices:

1. **Standard Questions Appendix**, and
2. **Grant and Allocation Appendix**.

#### **Import Interest Subsidies**

Please respond to all questions in the following appendices:

1. **Standard Questions Appendix**, and
2. **Grant and Allocation Appendix**.

### Export Interest Subsidies

Please respond to all questions in the following appendices:

1. **Standard Questions Appendix**, and
2. **Grant and Allocation Appendix**.

### Subsidies for Development of Famous Export Brands and China World Top Brands

1. Please respond to all questions in the following appendices:
  - a. **Standard Questions Appendix**, and
  - b. **Grant and Allocation Appendix**.
2. Specify whether the assistance came in the form of a grant, loan, or other incentive. Further, please indicate whether the federal, provincial, or local government provided the assistance.

### State Key Technology Fund

Please respond to all questions in the following appendices:

1. **Standard Questions Appendix**, and
2. **Grant and Allocation Appendix**.

### Grants for Energy Conservation and Emissions Reduction

Please respond to all questions in the following appendices:

1. **Standard Questions Appendix**, and
2. **Grant and Allocation Appendix**.

### Grants for Retiring Outdated Capacity

Please respond to all questions in the following appendices:

1. **Standard Questions Appendix**, and
2. **Grant and Allocation Appendix**.

## B. LOANS AND CREDIT

### Government Directed Debt Restructuring in the Chinese Steel Industry

1. Provide the following information regarding loan and interest forgiveness received during the POI and the preceding 11 years.
  - i. Please provide the information requested in the **Standard Questions Appendix** for this program.
2. List any debt or interest forgiveness received during the POI and the preceding 11 years, following the instructions in the **Grant and Allocation Appendix**.

### Export Buyer's Credits

1. Provide a list of all of the customers to which you exported during the POI, along with the shipment addresses for these customers. Commerce is requesting certain information from the GOC regarding your export customers that may have received buyer credits during the POI. Please coordinate with the GOC in order to ensure that it has a complete list of your customers, including full names and addresses in both Chinese and English, in a timely manner so that the GOC has sufficient time to report necessary information in its questionnaire response by the established response deadline.
2. Please discuss in detail the role your company plays in assisting your customers in obtaining buyer credits. Please provide a separate discussion for each type of assistance provided to your customers during the POI. Provide complete copies of documentation you provided to China's EXIM Bank in order to assist your customers in obtaining buyer credits (provide this documentation for one sample transaction for each type of assistance provided to your customers during the POI).
3. If you claim that none of your customers used buyer credits during the POI, please explain in detail the steps you took to determine that no customer used the Buyer Credit Facility.

### Export Seller's Credits

1. Please provide the information requested in the **Standard Questions Appendix** as it applies to export seller's credits.
2. Report all financing to your company that was outstanding during the POI under this program. Submit the information requested in the **Loan Template** as an attachment to your response and in electronic format using Microsoft Excel.

## **C. INCOME TAX PROGRAMS**

### Income Tax Reductions for High and New Technology Enterprises

Please respond to all questions in the following appendices:

1. **Standard Questions Appendix**, and
2. **Tax Program Appendix**

### Tax Offsets for Research and Development Under the EIT

Please respond to all questions in the following appendices:

1. **Standard Questions Appendix**, and
2. **Tax Program Appendix**.

### Preferential Income Tax for Enterprises in the Northeast Region

Please respond to all questions in the following appendices:

1. **Standard Questions Appendix**, and
2. **Tax Program Appendix**.

### Forgiveness of Tax Arrears for Enterprises Located in the Old Industrial Bases of Northeast China

Please respond to all questions in the following appendices:

1. **Standard Questions Appendix**, and
2. **Tax Program Appendix**.

## **D. GOVERNMENT PROVISION OF GOODS OR SERVICES FOR LTAR**

### Provision of Hot-Rolled Steel for LTAR

1. Using the attached Microsoft Excel template “Input Purchases,” please report all of your purchases during the POI. Submit this information in electronic format using Microsoft Excel, and include a printout of the electronic file in your response.

As the template specifies, please report each purchase of the input during the POI. By each purchase, we are referring to each line item on a VAT invoice that corresponds to a unique price and/or quantity. For an example, *see* the attached reporting template.

Report all purchases with invoice dates that reflect actual deliveries during the POI. If another reporting basis that your company records in its accounting system more accurately reflects the establishment of the material terms of purchase dates that reflect actual deliveries during the POI, then report your purchases on this basis. Please explain why this basis is more accurate and clearly identify how it is recorded in your accounting system.

You should report this purchase information regardless of whether your company used the input to produce the subject merchandise during the POI.

2. Commerce has requested certain information from the GOC regarding the input producers you report in response to question 1, above. Please coordinate immediately with the GOC in order to ensure that it has a complete list of these input producers, including full names and addresses in both Chinese and English, in a timely manner so that the GOC has sufficient time to report the necessary information in its questionnaire response by the established response deadline.
3. Are there trade publications which specify the prices of the good/service within China and on the world market? Provide a list of these publications, along with sample pages from these publications listing the prices of the good/service within China and in world markets during the POI.
4. Please provide a worksheet that shows your firm's per-metric ton freight expenses for transporting hot-rolled steel from the nearest seaport to your firm's factory complexes for each month of the POI. Provide supporting documentation for the months of March and October.

If your firm did not incur these expenses, please provide the same information for shipping a closely-related input product or finished product to or from the nearest seaport during the POI.



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### Provision of Electricity for LTAR

1. Identify your company's suppliers of electricity during the POI.
2. Using the attached "Electricity" template, report the rates your company paid for electricity, by month, during the POI. Submit this information in electronic format using Microsoft Excel, and include a printout of the electronic file in your response.

If your company did not pay for electricity during the POI according to the rate categories in the chart (*i.e.*, peak, normal, valley, and basic fees), then identify the appropriate rate categories in the chart you submit. If you received efficiency adjustments to your bill, please identify those separately, as well as any other discount you may have received.

3. Provide copies of your company's electricity bills for (May and September).
4. Are the electricity rates paid by your company established in a rate schedule applicable to industrial users in your area? If so, which user category is applicable to your company?
5. If your company does not pay rates established in a rate schedule, how are your electricity rates set?
6. Did your company pay a reduced or preferential rate for electricity because of your location or because of the products your company produces?

### Provision of Land Use Rights to Favored Industries for LTAR

1. Did your company purchase land-use rights from any governmental authority (including zones) during the period covering December 11, 2001, through the end of the POI? For each instance in which your firm acquired such land-use rights, please provide the following information.
  - a. Date of acquisition
  - b. Identity of seller (include the name in both Chinese and English as well as an address).
  - c. Location of land (please be sure to specify whether the acquired land is located in a special economic and/or development zone).
  - d. Area of land (please be sure to specify the unit of measure)
  - e. Price paid for land-use rights (specify whether payment was in a lump sum or in installments)
  - f. Terms of payment
  - g. Duration of lease
  - h. Translated copy of the land-use contract

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- i. Provide the land-use certificates and land-use agreements issued to you by your local land-use bureau
  2. How did your company obtain the land-use rights identified in response to question 2? Please include in your response a discussion of whether your company owns its land-use rights or rents its land.
  3. Identify the criteria your company had to meet to obtain the land or land-use rights you identify in response to question 2. Include a copy of your application as well as a copy of any approval if different from the land-use agreement.
  4. Indicate whether your acquisition of the land or land-use rights identified in response to question 2 was contingent upon your company's status (*e.g.*, state-owned enterprise, located in a particular geographical area, etc.) or activity (*e.g.*, production of a particular product, export sales, purchases from domestic suppliers, etc.).
  5. If the price paid for the land or land-use rights identified in response to question 2 was negotiated, please provide copies of all correspondence, including emails, memoranda of intent, etc. exchanged with land officials pursuant to these negotiations.
  6. State whether you hold allocated or granted land-use rights.

#### **E. OTHER SUBSIDIES**

Did the GOC (or entities owned directly, in whole or in part, by the GOC or any provincial or local government) provide, directly or indirectly, any other forms of assistance to your company between the end of the POI and the preceding 11 years? If so, please describe such assistance in detail, including the amounts, date of receipt, purpose and terms, and answer all questions in the appropriate appendices.

### *Standard Questions Appendix*

- A. Specify the eligibility criteria your company had to meet in order to receive benefits under this program. State whether eligibility was or is currently contingent on one or more of the following criteria: 1) whether or not your company exports or has increased its exports, 2) the use of domestic rather than imported inputs, 3) the industry to which your company belongs, or 4) the region in which your company is located.
- B. Describe in detail the application and approval process that your company undertook to receive benefits through the program.
- C. Specify the criteria your company met to receive the particular amount of assistance provided. Did the application or approval specify the merchandise for which this assistance was to be provided? If so, provide details of which merchandise was specified in the application and/or approval documents.
- D. What records does your company keep regarding each of the benefits received under this program? Provide your company's executed application forms and other application documents with respect to this program. Provide copies of the documentation sent to your company upon approval of the benefit, including but not limited to: approval letter, contract, claim form, etc.
- E. Indicate where benefits under this program can be found in your accounting system (*i.e.*, specify the ledgers or journals) and financial statements. If you have to file anything with the government to continue receiving benefits under this program, provide a complete translated set of your most recent submissions made during, or before, the POI.
- F. Has the program been terminated? If so, please explain. When is the last date that your company could *apply for or claim* benefits under the program? When is the last date that your company could *receive* benefits under the program?

### *Average Useful Life Appendix*

Respondents should be aware that, pursuant to section 351.524 of its regulations, Commerce allocates the benefits received from certain types of subsidies over time. Although the POI is a recent period, we are investigating alleged subsidies received over a time period corresponding to the industry's average useful life of assets (or AUL). According to section 351.524(d)(2)(i) of Commerce's regulations, Commerce will presume that the industry's AUL corresponds to the average useful life of renewable physical assets for the industry concerned as listed in the U.S. Internal Revenue Service's Depreciation Range System (IRS tables). In the case of this investigation, the AUL is 12 years. Therefore, with respect to subject merchandise, we would ordinarily investigate alleged subsidies received during the POI and the preceding 11 years.

According to 19 CFR 351.524(d)(2), parties to the investigation may choose to argue that the IRS tables do not reasonably reflect the company-specific AUL or the country-wide AUL for the industry in question. To do so, parties must demonstrate that the company-specific AUL applicable to the respondent companies or country-wide AUL applicable to the industry producing subject merchandise in your country differs by one year or more from the AUL in the IRS tables. If any of the parties under investigation chooses to pursue an AUL other than that identified in the IRS tables, you will be required to provide information for the corresponding number of years.

In table format, enter the beginning and ending gross book values of depreciable productive assets for each of the past ten years. (Do not include non-depreciable assets, such as land or construction in progress. Please seek to exclude the gross book value of any fully depreciated productive assets which are no longer in service.)

- A. Enter, as separate items in the table, each year's regular depreciation expense and any special charges to depreciation expense or revaluations and write-downs of productive assets.
- B. Explain how the numbers in the table reconcile to your financial statements.
- C. Explain your company's accounting policies concerning depreciation of productive assets. State whether straight-line or accelerated depreciation is used, and what conventions are applied.
- D. Explain whether your company maintains salvage value for productive assets; how salvage value is treated for depreciation purposes; and, if applicable, beginning and ending salvage value balances for each year in the table.
- E. If your company is claiming that the IRS tables do not reasonably reflect your company-specific AUL, please:
  - 1. Provide a worksheet which shows the calculation of your company's AUL. To calculate the AUL using the raw data listed above:
    - a. Sum the average annual balances of productive assets for all years (A).
    - b. Sum the depreciation expenses for each year (D).
    - c. Divide the sum of the productive assets amounts (A) by the sum of depreciation expenses (D) to arrive at the AUL.  $AUL = A/D$ .

- 2 Demonstrate that this rate differs significantly from the rate established in the IRS tables (i.e., by at least one year).

F. If your company is claiming that the IRS tables do not reasonably reflect the country-wide AUL for this industry, please:

1. Contact the GOC to ensure that they will submit the country-wide rate.
2. Demonstrate that this rate differs significantly from the rate established in the IRS tables (i.e., by at least one year).

### ***Grant and Allocation Appendix***

Questions A and B relate to whether the subsidy is “recurring” or “non-recurring.” For a further explanation of recurring and non-recurring, see 19 CFR 351.524(c).

- A. Does your company receive the subsidy on an ongoing basis under this program?
- B. Have you filed a separate application each time you have received benefits? Please explain. Has each disbursement been contingent upon separate government approval? Please explain.
- C. Are subsidies under this program provided for or tied to the capital structure or capital assets of your company? (For a definition of capital structure and capital assets, see the preamble of the CVD regulations (63 FR at 65393).)

If the subsidy is non-recurring, you should report the following information for each subsidy received during the AUL. If the subsidy is recurring, then you need only provide this information with respect to subsidies received during the POI. The information should be provided in *chart form*:

- C. the amount of all subsidies authorized and the amount received (state whether the subsidy was received in a lump sum or in multiple disbursements);
- D. date of the approval of the subsidy and the date(s) it was received;
- E. total or export f.o.b. sales (depending on whether the program is a domestic or export subsidy) in the year in which the subsidy was approved; and
- F. total or export f.o.b. sales (depending on whether the program is a domestic or export subsidy) in the year in which the subsidy was received.

### *Income Tax Programs Appendix*

If your company used this program to take deductions from taxable income, credit toward taxes payable, exemptions from taxes owed, accelerated depreciation or other tax benefits on the tax return ***filed during the POI*** (the tax period covered by this tax return does not have to correspond with the period of investigation), please answer the following questions:

- A. Explain whether the assistance is a deduction from taxable income, an exemption from taxes, a credit toward taxes payable, accelerated depreciation, a deferral of taxes owed, or other tax benefit.
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- B. Indicate the amount of the tax savings derived from the use of this program. Provide a detailed calculation of the assistance and all source materials. Show the amount of tax (or the amount of loss incurred) that would have been due absent this benefit. **Indicate where in the tax return this assistance is shown.** For tax deferrals, please indicate the amount of tax owed and the length of the deferral period.
- C. If your company was in a tax loss position for the tax year to which the return applies, please explain the effect of this assistance on your company's tax position.
- D. Will you carry forward any loss to future years? Does the loss represent accrued losses from earlier years? Please explain.
- E. Indicate where in your company's financial statements tax information is represented. Are accrued tax losses carried as assets in the financial statements? Please explain.
- F. If you carried forward a loss from prior years and used that loss to offset taxes due on the tax return filed during the POI, demonstrate that loss was not generated by use of any countervailable tax program.

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### ***SECTION III***

#### ***Equity Appendix***

Please provide the following information:

- A. The amount of the government's investment, i.e., the amount of equity infused.
- B. The date of the investment.
- C. Number of shares received by the government and a description of the shares, e.g., common stock, preferred stock.

Please provide the financial information requested in D, below. Additionally, depending on the extent of government ownership of your company at the time of the equity infusion, please respond to the questions in E or F, below.

- D. Please provide complete, translated audited financial statements for the year of the government equity investment and for three years prior to the investment. These should be the financial statements filed with your official government entity, e.g., the Ministry of Finance. If there is no such filing requirement, the financial statements should be those provided to banks or other independent third parties.

The financial statements should include the complete set of statements, e.g., income statement, balance sheet, statement of change in equity footnotes, and must be accompanied by the auditors' opinion.

During the relevant time, please describe:

- 1. Any accounting principle used by your company which deviated from GAAP in your country.
- 2. Any accounting principle in your country which may not be in accordance with internationally accepted principles.
- 3. Major and/or unusual gains and/or losses.
- 4. Adjustments made by your company because of a change in or application of an accounting principle.
- 5. Any item which was not reported as part of the calculation of net income, but was reflected on the income statement below the net income or on the balance sheet as part of the equity section.

- E. Please provide the following information:

- 1. A listing of all equity investments made by private (non-government) entities contemporaneous with the government's investment or debt-to-equity conversion. Please provide the dates, the numbers of shares, the amount paid per share for each purchase, and



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a description of the rights and preferences of the equity interests received by such private (non-government) entities and how these differ from the rights and preferences of the equity interests received or held by the government.

2. A description of the circumstances and of any agreements related to these private equity purchases including the role played by the government or entities controlled or owned by the government in the negotiation and/or fulfilling of said agreements. Agreements, notes, or other information related to these purchases should be provided.
3. Internal company documents, *e.g.*, Board of Directors' minutes or internal projections of sales/earnings, related to company operations prior to the government's and/or the private purchases of equity. Specify if these documents were made available to both the government and the private investor(s).
4. A listing of attempts made by your company to obtain private equity investment and/or agreements involving private equity investments which were not consummated. Describe the circumstances of these attempts and/or agreements, and the reasons they were not achieved.

F. If your company was 100 percent government-owned, please provide the following information:

1. All documentation relevant to your decision as to the source of funds to finance your operations, *e.g.*, debt vs. equity financing and private vs. government sources.
2. Internal company documents, *e.g.*, Board of Directors' minutes or internal projections of sales/earnings, related to company operations prior to the government's purchases of equity or debt to equity conversions.
3. A listing of all attempts made by your company to obtain private equity investment and/or agreements involving private equity investment which were not consummated. Describe the circumstances of these attempts and/or agreements, and the reasons they were not achieved.
4. How did your company determine the amount of equity to be issued and the per share price to be paid?
5. Please calculate the following ratios for your company for each year in which an equity investment was received and for the preceding three years: current ratio, quick ratio, gross profit, operating profits, net profits, return on equity, debt-to-equity, debt-to-assets, interest/debt coverage, and cash flow to debt.