

Rescission of Second Administrative Review

On November 1, 2002, TAMSAs submitted a letter certifying that neither TAMSAs, nor its U.S. affiliate, Siderca Corporation, directly or indirectly, exported or sold for consumption in the United States any subject merchandise during the POR. *See Memorandum from Eric Greynolds through Melissa Skinner, "Second Administrative Review of the Antidumping Duty Order on Certain Large Diameter Carbon and Alloy Seamless Standard, Line and Pressure Pipe from Mexico: Intent to Rescind Administrative Review,"* (April 30, 2003). The Department conducted a shipment data query on SLP produced by TAMSAs during the POR. Our analysis of the query results showed that none the relevant shipments were subject to antidumping duties. To further confirm TAMSAs's claim that it did not export subject merchandise to the United States during the POR, on March 19, 2003 we subsequently requested an additional data query of the internal BCBP data. *See Memorandum to file from Mark Young through Eric Greynolds, "Second Administrative Review of the Antidumping Duty Order on Certain Large Diameter Carbon and Alloy Seamless Standard, Line and Pressure Pipe from Mexico: Internal Customs Data Query"* (March 31, 2003). Pursuant to this request, we discovered what appeared to be several shipments of subject merchandise from TAMSAs to the United States during the POR. Consequently, on March 31, 2003, the Department requested that TAMSAs explain the discrepancy between TAMSAs's statement that it had no sales of subject merchandise during the POR and the results of our data query which contradicted TAMSAs's statement, or respond to the antidumping questionnaire that was sent on October 11, 2002. *See* letter to respondent, dated March 31, 2003, in the case file in the CRU.

Subsequent to the issuance of the Department's March 31, 2003 letter to TAMSAs, we discovered an inadvertent error regarding the internal BCBP data query on shipments of subject merchandise from TAMSAs. Specifically, the results of the query included extraneous data concerning merchandise that is not covered by the scope of the order. Therefore, on April 30, 2003, we stated that based on our shipment data query and examination of entry documents, we should treat TAMSAs as a non-shipper and, in accordance with section 351.213(d)(3) of the Department's regulations, rescind

this review. *See Memorandum from Eric Greynolds through Melissa Skinner to the File, "Certain Large Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Mexico: Rescission of First Administrative Review,"* dated April 30, 2003. We invited interested parties to comment on our intent to rescind the administrative review.

With respect to petitioner's October 25, 2002 request that the Department determine whether antidumping duties have been absorbed during the period of review by respondent TAMSAs, we find their request to be irrelevant to the instant case. The Department's query results show that TAMSAs had no entries of subject merchandise during the POR, therefore, no duty absorption can exist (*see e.g., Certain Fresh Cut Flowers from Mexico, Final Results of Antidumping Duty Administrative Review*, 62 FR 27219 (May 19, 1997)).

Based on our BCBP data query and examination of entry documentation, the Department will treat TAMSAs as a non-shipper for the purpose of this review. Therefore, in accordance with § 351.213(d)(3) of the Department's regulations, and consistent with our practice, we will rescind this review because TAMSAs is the sole respondent and a non-shipper (*see e.g., Polychloroprene Rubber from Japan: Notice of Rescission of Antidumping Duty Administrative Review*, 66 FR 45005 (August 27, 2001)).

This notice is in accordance with section 751(a)(1) of the Act and section 351.213(d) of the Department's regulations.

Dated: July 1, 2003.

Gary Taverman,

Acting Deputy Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration [C-533-829]

Notice of Preliminary Affirmative Countervailing Duty Determination: Prestressed Concrete Steel Wire Strand from India

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Preliminary Affirmative Countervailing Duty Determination.

EFFECTIVE DATE: July 8, 2003.

Preliminary Determination

The Department of Commerce (the Department) preliminarily determines that countervailable subsidies are being provided to producers and exporters of prestressed concrete steel wire strand (PC strand or subject merchandise) from India. For information on the estimated countervailing duty rates, please see the "Suspension of Liquidation" section of this notice.

FOR FURTHER INFORMATION CONTACT:

Robert Copyak at (202) 482-2209, Alicia Kinsey at (202) 482-4793, or Cindy Robinson at (202) 482-3797, Office of AD/CVD Enforcement VI, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, Room 4012, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

SUPPLEMENTARY INFORMATION:

Petitioners

The petition in this investigation was filed by American Spring Wire Corp., Insteel Wire Products Company, and Sumiden Wire Products Corp. (collectively, the petitioners).

Case History

Since the publication of the notice of initiation in the **Federal Register** (*see Notice of Initiation of Countervailing Duty Investigation: Prestressed Concrete Steel Wire Strand from India*, 68 FR 9058 (February 27, 2003) (*Initiation Notice*)), the following events have occurred.

On February 28, 2003, we issued our initial countervailing duty questionnaire (initial questionnaire) to the Government of India (GOI).¹ On April 1, 2003, the GOI requested a one-month extension of the April 7, 2003, deadline for submitting its response to the "government" portion of the initial questionnaire. We granted the GOI an extension until April 21, 2003. On April 21, 2003, the GOI submitted a partial questionnaire response and requested a second extension. The GOI explained that it was having logistical difficulties in gathering the requested information, which pertains to several state government programs and various federal departments. *See* Memorandum to the File from Alicia Kinsey, International Trade Analyst, concerning Conversation with Government of India Official (April 24, 2003), which is on

¹ In the questionnaire, we informed the GOI that it was the government's responsibility to identify all Indian producers/exporters that shipped subject merchandise to the United States during the period of investigation and to forward a copy of the "company" portion of the initial questionnaire to all such producers/exporters.