

(Initiation Checklist). Also, as discussed below, we examined evidence supporting the calculations in the petition to determine the probative value of the margins in the petition for use as AFA for purposes of this preliminary determination. In accordance with section 776(c) of the Act, to the extent practicable, we examined the key elements of the constructed export price (CEP) and normal value (NV) calculations on which the margin in the petition was based. *See* Memorandum from David Layton and Monica Gallardo, International Trade Compliance Analysts, to Gary Taverman, Director, Office 5, Re: Corroboration of Data Contained in the Petition for Assigning Facts Available Rates, dated July 10, 2003 (Corroboration Memo).

1. Corroboration of Constructed Export Price

The petitioners based CEP on prices for sales of low-relaxation PC strand from a Brazilian producer, through its U.S. affiliate, to an unaffiliated U.S. purchaser. The petitioners calculated a single average gross unit price and deducted from it estimated costs for international freight and insurance charges, U.S. inland freight charges, harbor maintenance and merchandise processing fees, imputed credit expenses, and trading company commission to arrive at an average net U.S. price. Information regarding U.S. prices including warehousing expenses, indirect selling expenses, inventory carrying expenses, and CEP profit was not reasonably available to the petitioners. Therefore, the petitioners did not deduct these items from the average gross unit price. Instead, as a conservative estimate of these expenses, the petitioners subtracted an amount for the “prevailing commission rate for PC strand sold in the United States via unaffiliated agents to foreign producers’ unaffiliated U.S. customers.” *See* Volume II-Brazil AD of the petition at 2–3. We compared the U.S. market price quotes with official U.S. import statistics and U.S. customs data, and

found the prices used by the petitioners to be reliable. For further discussion, see Corroboration Memo at 2.

2. Corroboration of Normal Value

With respect to the NV, the petitioners provided a home market price for low-relaxation PC strand that was obtained from foreign market research. *See* Memorandum to the File, Re: Telephone Conversation with Market Researcher Regarding the Petitions for Imposition of Antidumping: Prestressed Concrete Steel Wire Strand from Brazil (February 12, 2003). The petitioners adjusted the gross unit price for home market credit expenses and inland freight.

The Department was provided with no useful information by the respondent or other interested parties and is aware of no other independent source of information that would enable it to further corroborate the margin calculations in the petition. Specifically, we attempted to locate both home market prices through publicly available sources and U.S. producer costs upon which the CV was based, but we were unable to do so. *See* Corroboration Memo at 3.

The implementing regulation for section 776 of the Act, at 19 CFR 351.308(d) states, “{t}he fact that corroboration may not be practicable in a given circumstance will not prevent the Secretary from applying an adverse inference as appropriate and using the secondary information in question.” Additionally, we note that the SAA at 870 specifically states that, where “corroboration may not be practicable in a given circumstance,” the Department need not “prove that the facts available are the best alternative.”

Therefore, based on our efforts, described above, to corroborate information contained in the petition, and in accordance with section 776(c) of the Act, we consider the margins in the petition to be corroborated to the extent practicable for purposes of this preliminary determination. Accordingly, in selecting AFA with respect to BBA, we have applied the

margin rate of 118.75 percent, which is the highest estimated dumping margin set forth in the notice of initiation. *See Initiation Notice*, 68 FR at 9052.

All Others Rate

Section 735(c)(5)(B) of the Act provides that, where the estimated weighted-averaged dumping margins established for all exporters and producers individually investigated are zero or *de minimis* or are determined entirely under section 776 of the Act, the Department may use any reasonable method to establish the estimated all-others rate for exporters and producers not individually investigated. This provision contemplates that we weight-average margins other than zero, *de minimis*, and facts available margins to establish that “All Others” rate. Where the data do not permit weight-averaging such rates, the SAA provides that we use other reasonable methods. *See* SAA at 873. Because the revised petition, contained only one price-to-price dumping margin, it is reasonable to use this dumping margin to create an “All Others” rate. Further, since BBA is the only known Brazilian producer/exporter of subject merchandise, it is reasonable to use a margin based on a comparison of its sales as the “All Others” rate. Accordingly, we have applied a margin of 118.75 percent as the “All Others” rate.

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, we are directing the U.S. Bureau of Customs and Border Protection (BCBP) to suspend liquidation of all entries of PC strand from Brazil that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. We are also instructing the BCBP to require a cash deposit or the posting of a bond equal to the dumping margin as indicated in the chart below. These instructions suspending liquidation will remain in effect until further notice.

The dumping margins are as follows:

Producer/Exporter	Margin (Percentage)
Belgo Bekaert Arames S.A .....	118.75
All Others .....	118.75

International Trade Commission Notification

In accordance with section 733(f) of the Act, we have notified the ITC of the Department’s preliminary affirmative determination. If the final determination

in this proceeding is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether imports of PC strand from Brazil are materially

injuring, or threaten material injury, to the U.S. industry.

Public Comment

Interested parties are invited to comment on the preliminary