

discussion, see the "Respondent Selection" section of this notice, below, and the July 22, 2003, memorandum from the team to the file entitled "Antidumping Duty Investigation of Certain Color Television Receivers from the People's Republic of China—Selection of Respondents" (the "Respondent Selection memo"). See also the "Margins for Exporters Whose Responses Were Not Analyzed" section of this notice, below.

On July 24, 2003, the Department invited interested parties to comment on surrogate country selection and to provide publicly available information for valuing the factors of production.

On July 31, 2003, the petitioners submitted comments opposing XOCECO's June 18, 2003, scope exclusion request.

During July and August 2003, we issued supplemental section A questionnaires to each of the four mandatory participating respondents in this case (*i.e.*, Changhong, Konka, TCL, and XOCECO) as well as to each of the exporters not selected as mandatory respondents which properly filed a section A response. We received responses to these questionnaires in August 2003.

From August 1 through August 22, 2003, we received responses to the remaining sections of the questionnaire from the four participating mandatory respondents, as well as two exporters who requested to be examined on a voluntary basis (*i.e.*, Haier and Philips).

On August 12, 2003, Changhong, Philips, TCL, and XOCECO submitted additional information related to the claim that the CTVs industry in the PRC is market-oriented.²

From August 18 through October 24, 2003, we issued supplemental questionnaires to Changhong, Konka, TCL, and XOCECO. We received responses to these questionnaires from August 26 through October 31, 2003.

On August 22, 2003, the petitioners responded to the respondents' August 12, 2003, MOI submission. Also on August 22, 2003, the petitioners submitted information on surrogate values. On September 5, 2003, Skyworth submitted company-specific information to support the MOI claim made in this case. Also on September 5, 2003, we received information related to surrogate values from Changhong, Philips, and TCL, as well as comments on surrogate country selection from Haier.

On September 9, 2003, Haier submitted company-specific

information to support the MOI claim made in this case.

On September 15, 2003, we notified Changhong, Philips, TCL, and XOCECO that their MOI claim did not sufficiently address the three prongs of the Department's MOI test, and that, as a consequence, we were unable to conclude that the experiences of the firms making the claim are representative of the industry. In the letter, we provided further guidance as to what was necessary for an MOI investigation. Copies of this letter were also provided to Haier, Skyworth, and the PRC government.

On September 16, 2003, Changhong, Haier, Philips, TCL, and XOCECO responded to the petitioners' August 22, 2003, comments on the MOI issue.

On September 17, 2003, pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f), the Department determined that the case was extraordinarily complicated and postponed the preliminary determination until no later than November 21, 2003. See *Postponement of Preliminary Determinations of Antidumping Duty Investigations: Certain Color Television Receivers From Malaysia (A-557-812) and the People's Republic of China (A-570-884)*, 68 FR 55372 (Sept. 25, 2003).

From October 3 through November 3, 2003, the petitioners submitted additional surrogate value information. Changhong provided comments on certain of these submissions on October 16, October 31, and November 6, 2003.

Also on October 16, 2003, the petitioners alleged that critical circumstances exist with respect to imports of CTVs from the PRC. Accordingly, pursuant to section 732(e) of the Act, on October 17, 2003, we requested information from Changhong, Konka, TCL, and XOCECO regarding monthly shipments to the United States during the period January 2001 through October 2003. We received the requested information on October 31 and November 3, 2003. The critical circumstances analysis for the preliminary determination is discussed below under "Critical Circumstances."

On October 24 and October 31, 2003, Changhong submitted additional information related to surrogate values.

On October 30, 2003, we issued an additional supplemental questionnaire to Changhong. We received Changhong's responses to this questionnaire on November 10, 2003, and November 12, 2003. Although these responses were received too late for use in the preliminary determination, we intend to verify this information and consider it for use in the final determination.

On October 31, 2003, Changhong submitted a request regarding its MOI claim, stating that before making its final determination in this case, the Department should identify any additional specific MOI information required from the PRC CTVs producers.

On November 10, 2003, the petitioners submitted additional surrogate value information. Although this information was received too late for use in the preliminary determination, we will consider it for use in the final determination.

Also on November 10, 2003, Konka requested that the Department postpone the final determination until 135 days after the publication of the preliminary determination. For further discussion, see the "Postponement of Final Determination" section of this notice.

Postponement of Final Determination

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. The Department's regulations, at 19 CFR 351.210(e)(2), require that requests by respondents for postponement of a final determination be accompanied by a request for extension of provisional measures from a four-month period to not more than six months.

On November 10, 2003, Konka, which represents a significant proportion of exports, requested that the Department postpone its final determination until 135 days after the publication of the preliminary determination. Konka also included a request to extend the provisional measures to not more than six months. Accordingly, since we have made an affirmative preliminary determination and no compelling reasons for denial exist, we have postponed the final determination until not later than 135 days after the publication of the preliminary determination.

Period of Investigation

Pursuant to 19 CFR 351.204(b)(1), the POI for an investigation involving merchandise from a non-market economy (NME) is the two most recent fiscal quarters prior to the month of the filing of the petition (*i.e.*, May 2002). Therefore, in this case, the POI is

² Changhong provided additional documentation supporting this claim on August 20, 2003.