



## **INSTRUCTION BOOKLET**

### **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS FOR COMMISSION FOREIGN PRODUCER/EXPORTER QUESTIONNAIRES**

**Wind Towers from China and Vietnam  
Investigation Nos. 701-TA-486 and 731-TA-1195-1196 (Final)**

*Further information.--If you have any questions concerning the enclosed questionnaire(s) or other matters related to this proceeding, you may contact the following member of the Commission's staff (Fax 202-205-3205):*

*Nathanael Comly, investigator (E-mail [nathanael.comly@usitc.gov](mailto:nathanael.comly@usitc.gov); 202-205-3174)*

## **GENERAL INFORMATION**

**Background.**-- This proceeding was instituted in response to a petition filed on December 29, 2011, by Broadwind Towers, Inc., Manitowoc, WI; DMI Industries, Fargo, ND; Katana Summit LLC, Columbus, NE; and Trinity Structural Towers, Inc., Dallas, TX. Countervailing and antidumping duties may be assessed on the subject imports as a result of this proceeding if the Commission makes an affirmative determination of injury, threat, or material retardation, and if the U.S. Department of Commerce makes an affirmative determination of subsidization and/or dumping.

Questionnaires and other information pertinent to this proceeding are available at [http://www.usitc.gov/trade\\_remedy/731\\_ad\\_701\\_cvd/investigations/2012/wind\\_towers/finalphase.htm](http://www.usitc.gov/trade_remedy/731_ad_701_cvd/investigations/2012/wind_towers/finalphase.htm)

Address all correspondence to the United States International Trade Commission, Washington, DC 20436. Hearing-impaired individuals can obtain information regarding this proceeding via the Commission's TDD terminal (202-205-1810).

**Due date of questionnaire(s).**--Please submit the completed questionnaire(s) to the United States International Trade Commission so as to be received by no later than **October 12, 2012**. Because Commission staff might contact you with questions during the course of the proceeding, save the final version of the document(s) and retain all files and worksheets associated with the completed questionnaire(s). Please also retain a copy of any paper original document that you submit.

**Service of questionnaire response(s).**--In the event that your firm is a party to this proceeding, you are required to serve a copy of the questionnaire(s), once completed, on parties to the proceeding that are subject to administrative protective order (see 19 CFR § 207.7). A list of such parties is maintained by the Commission's Secretary and may be obtained by calling 202-205-1803. A certificate of service must accompany the copy of the completed questionnaire(s) you submit (see 19 CFR § 207.7).

**Confidentiality.**--The commercial and financial data furnished in response to the enclosed questionnaire(s) that reveal the individual operations of your firm will be treated as confidential by the Commission to the extent that such data are not otherwise available to the public and will not be disclosed except as may be required by law (see 19 U.S.C. § 1677f). Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, nonnumerical characterizations of numerical business proprietary information (such as discussion of trends) will be treated as confidential business information only at the request of the submitter for good cause shown.

## **GENERAL INFORMATION--Continued**

**Verification.**--The information submitted in the enclosed questionnaire(s) is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all your files, worksheets, and supporting documents used in the preparation of the questionnaire response(s).

**Release of information.**--The information provided by your firm in response to the questionnaire(s), as well as any other business proprietary information submitted by your firm to the Commission in connection with the proceeding, may become subject to, and released under, the administrative protective order provisions of the Tariff Act of 1930 (19 U.S.C. § 1677f) and section 207.7 of the Commission's Rules of Practice and Procedure (19 CFR § 207.7). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use in connection with this proceeding or other import-injury proceedings conducted by the Commission on the same or similar merchandise; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals.

## **INSTRUCTIONS**

**Answer all questions.**--Do not leave any question or section blank unless a questionnaire expressly directs you to skip over certain questions or sections. If the answer to any question is "none," write "none." **If information is not readily available from your records in exactly the form requested, furnish carefully prepared estimates.** Answers to questions and any necessary comments or explanations should be supplied in the space provided or on separate sheets attached to the appropriate page of the questionnaire(s). If your firm is completing more than one questionnaire in connection with this proceeding (i.e., a producer, importer, purchaser, and/or foreign producer questionnaire), you need not respond to duplicated questions in the questionnaires.

**Consolidate all establishments in China and, separately, all establishments in Vietnam.**--Report the requested data for your establishment(s) located in China or Vietnam. **Firms operating more than one establishment in a country should combine the data for all establishments in that country into a single report.**

**Electronic completion.**--Your firm is encouraged to complete the questionnaire electronically in MS Word format. The MS Word versions of all the questionnaires in this proceeding are available online at the ITC web page (see link above) or may be obtained directly from the Commission's Investigator, Nathanael Comly (nathanael.comly @usitc.gov, or 202-205-3174).

**Electronic submission.**--To the degree that it is possible and not overly burdensome, the Commission requests that responding firms submit their questionnaire responses electronically in MS Word format. The submission of questionnaire responses in the MS Word format allows the Commission to compile, assess, and analyze submitted data more promptly. There are three electronic submissions options detailed below. Paper submissions are also accepted.

## **INSTRUCTIONS**--Continued

### **OPTIONS FOR FILING**

This questionnaire is available as a “fillable” form in MS Word format on the Commission’s website at:

[http://www.usitc.gov/trade\\_remedy/731\\_ad\\_701\\_cvd/investigations/2012/wind\\_towers/finalphase.htm](http://www.usitc.gov/trade_remedy/731_ad_701_cvd/investigations/2012/wind_towers/finalphase.htm)

*Please do not attempt to modify the format or permissions of the questionnaire document.*

You may complete the questionnaire and submit it, electronically, or you may print it out and submit it in paper form, as described below:

- **Upload via Secure Drop Box.**—Upload the completed questionnaire in MS Word format along with a scanned copy of the signed certification page (page 1) and scanned pages of any requested documents through the Commission’s secure upload facility:

*Web address:* <https://dropbox.usitc.gov/oinv/> *Pin:* WIND

- **Compact disc (CD).**—Copy your questionnaire onto a CD, include a signed certification page (page 1) (either in paper form or scanned PDF copied onto CD), and mail to the address above. *It is strongly recommended that you use an overnight mail service. U.S. mail sent to government offices undergoes additional processing which not only results in substantial delays in delivery but may also damage CDs.*

- **E-mail.**—E-mail your questionnaire to the investigator identified on page 1 of the Instruction Booklet; include a scanned PDF of the signed certification page (page 1). Type the following in the e-mail subject line: BPI Questionnaire, INV. NO. 701-486. *Please note that submitting your questionnaire by e-mail may subject your firm’s business proprietary information to transmission over an unsecure environment and to possible disclosure. If you choose this option, the Commission warns you that any risk involving possible disclosure of such information is assumed by the submitter and not by the Commission.*

- **Fax.**—Fax to 202.205.3205.

- **Overnight mail service.**—Mail to the following address:

**United States International Trade Commission  
Office of Investigations, Room 615  
500 E Street SW  
Washington, DC 20024**

- **U.S. mail.**—Mail to the address above, but use zip code 20436. *This option is not recommended. U.S. mail sent to government offices undergoes additional processing to screen for hazardous materials; this additional processing results in substantial delays in delivery.*

Note: If you are a party to the proceeding, and service of the questionnaire is required, such service should be made in paper form.

## **DEFINITIONS**

**Utility scale wind towers (“wind towers”).**-- The products covered by this proceeding are certain wind towers, whether or not tapered, and sections thereof.<sup>1</sup> Wind towers are designed to support the nacelle and rotor blades in a wind turbine with a minimum rated electrical power generation capacity in excess of 100 kilowatts (“kW”) and with a minimum height of 50 meters measured from the base of the tower to the bottom of the nacelle (i.e., where the top of the tower and nacelle are joined) when fully assembled.<sup>2</sup> Wind towers are currently covered by statistical reporting numbers 7308.20.0020<sup>3</sup> or 8502.31.0000<sup>4</sup> of the Harmonized Tariff Schedule of the United States (HTS).<sup>5</sup>

**Unit.**--Please note with respect to units, a unit, unless otherwise stated, is a complete wind tower (whether or not comprised of multiple sections) or wind tower equivalent (e.g. one section of a wind tower comprised of four sections would be equal to ¼ or 0.25 wind towers).

**Firm.**--An individual proprietorship, partnership, joint venture, association, corporation (including any subsidiary corporation), business trust, cooperative, trustee in bankruptcy, or receiver under decree of any court.

**Related firm.**--A firm that your firm solely or jointly owned, managed, or otherwise controlled; a firm that solely or jointly owned, managed, or otherwise controlled your firm; and/or a firm that was solely or jointly owned, managed, or otherwise controlled by a firm that also solely or jointly owned, managed, or otherwise controlled your firm.

**Establishment.**--Each facility of a firm in China or Vietnam involved in the production of wind towers (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

**United States.**--For purposes of this proceeding, the 50 States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

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<sup>1</sup> A wind tower section consists of, at a minimum, multiple steel plates rolled into cylindrical or conical shapes and welded together (or otherwise attached) to form a steel shell, regardless of coating, end-finish, painting, treatment, or method of manufacture, and with or without flanges, doors, or internal or external components (e.g., flooring/ decking, ladders, lifts, electrical buss boxes, electrical cabling, conduit, cable harness for nacelle generator, interior lighting, tool and storage lockers) attached to the wind tower section. Several wind tower sections are normally required to form a completed wind tower.

Wind towers and sections thereof are included within the scope whether or not they are joined with nonsubject merchandise, such as nacelles or rotor blades, and whether or not they have internal or external components attached to the subject merchandise.

<sup>2</sup> Specifically excluded from the scope are nacelles and rotor blades, regardless of whether they are attached to the wind tower. Also excluded are any internal or external components which are not attached to the wind towers or sections thereof.

<sup>3</sup> Wind towers are classified under HTS 7308.20.0020 when imported as a tower or tower section(s) alone.

<sup>4</sup> Wind towers may also be classified under HTS 8502.31.0000 when imported as part of a wind turbine (i.e. accompanying nacelles and/or rotor blades).

<sup>5</sup> Prior to 2011, merchandise was classified in the HTSUS under subheading 7308.20.0000.

## **DEFINITIONS**--*Continued*

**Importer**--Any person or firm engaged, either directly or through a parent company or subsidiary, in importing wind towers (as defined above) into the United States from a foreign manufacturer or through its selling agent.

**Average production capacity**--The level of production that your establishment(s) could reasonably have expected to attain during the specified periods. Assume normal operating conditions (i.e., using equipment and machinery in place and ready to operate; normal operating levels (hours per week/weeks per year) and time for downtime, maintenance, repair, and cleanup; and a typical or representative product mix).

**Production**--All production in your establishment(s) in China or Vietnam, including production consumed internally within your firm.

**Shipments**--Shipments of products produced in your establishment(s) in China or Vietnam. Quantities reported should be net of returns.

**Home market commercial shipments**--Shipments, other than internal consumption and transfers to related firms, within China or Vietnam.

**Home market internal consumption/transfers to related firms**--Shipments made to related firms in China or Vietnam, including product consumed internally by your firm (*such as to construct a completed wind turbine*).

**Export shipments**--Shipments to destinations outside China or Vietnam, including shipments to related firms.

**Inventories**--Finished goods inventory, not raw materials or work-in-progress.