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May 25, 2017

## BY HAND DELIVERY

The Honorable Lisa R. Barton  
Secretary  
U.S. International Trade Commission  
500 E Street, S.W.  
Washington, DC 20436

## NON - CONFIDENTIAL VERSION

Inv. No.: TA-201-075

Confidential Business Information for  
Which Proprietary Treatment Has Been  
Deleted Appears at Attachment 1.

Re: Petition for Global Safeguard Relief Pursuant to Sections 201-202 of the Trade Act of 1974 - Crystalline Silicon Photovoltaic Cells (Whether or Not Fully Assembled into Other Products) – Adding Petitioner and Submission of Additional Data

Dear Secretary Barton:

On behalf of Suniva, Inc. (“Suniva”) and SolarWorld Americas, Inc. (“SolarWorld”), we hereby state that SolarWorld is now a petitioner (along with Suniva) in the above-referenced global safeguard action.<sup>1</sup>

At Attachment 1, we submit additional data from SolarWorld in support of this action, which was initiated on May 23, 2017. The attached contains data on SolarWorld’s production,

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<sup>1</sup> See Letter from Matthew J. McConkey, Mayer Brown LLP entitled “*Petition for Global Safeguard Relief Pursuant to Sections 201-202 of the Trade Act of 1974 - Crystalline Silicon Photovoltaic Cells and Modules*” (Apr. 26, 2017) (“Initial Petition”); Letter from Matthew J. McConkey, Mayer Brown LLP entitled “*Petition for Global Safeguard Relief Pursuant to Sections 201-202 of the Trade Act of 1974 - Crystalline Silicon Photovoltaic Cells and Module – Response to Deficiency Questionnaire*” (May 12, 2017) (“Amended Petition”); Letter from Matthew J. McConkey, Mayer Brown LLP entitled “*Petition for Global Safeguard Relief Pursuant to Sections 201-202 of the Trade Act of 1974 - Crystalline Silicon Photovoltaic Cells and Module – Revised Product Description*” (May 17, 2017) (together the “Petition”).

The Honorable Lisa R. Barton  
Secretary  
May 25, 2017  
Page 2

capacity, utilization, inventories, sales, prices, and profitability<sup>2</sup> for the period covered by the Petition. As described in the Petition, Suniva and SolarWorld together represent a majority of the domestic production of the goods subject to the investigation and are therefore representative of the domestic industry for purposes of Section 202 of the Act (19 U.S.C. § 2252(a)(1)) and Commission regulations (19 C.F.R. § 206.14(b)).

\* \* \*

Pursuant to 19 C.F.R. § 201.6 of the Commission's regulations, Suniva and SolarWorld request proprietary treatment for certain information in this petition which we designate by placing it within brackets. All of the bracketed information is proprietary and not otherwise available to the public. Any disclosure to the public of such proprietary information would result in serious and substantial harm to the competitive position of the source of the information and would impair the ability of the Commission to obtain information necessary to fulfill their statutory functions. A public version of this letter has been prepared and is being filed simultaneously with this submission pursuant to section 201.8(d) of the Commission's regulations.

Also, attached to this cover letter are counsel certifications regarding the completeness and accuracy of the information contained in the letter, as required by 19 C.F.R. § 206.8.

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<sup>2</sup> We note that some of the submitted quarterly profit/loss data is estimated based on annual data.

The Honorable Lisa R. Barton  
Secretary  
May 25, 2017  
Page 2

We look forward to working with the Commission as the investigation moves forward. If you have any questions regarding this submission, please contact the undersigned.

Respectfully submitted,



Matthew McConkey  
Mayer Brown LLP  
*On behalf of Suniva, Inc.*



Timothy Brightbill  
Wiley Rein LLP  
*On behalf of SolarWorld Americas, Inc.*

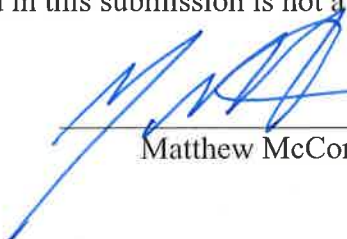
**CERTIFICATION OF COUNSEL**

City of Washington    )  
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District of Columbia   )

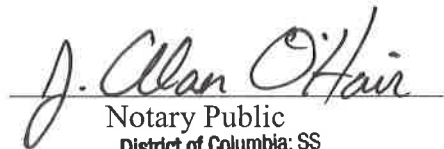
SS

In accordance with section 206.8 of the Commission's rules, I, Matthew McConkey, of Mayer Brown LLP, counsel to petitioner, Suniva, Inc., certify that (1) I have read the attached submission, and (2) based on the information made available to me by petitioner, I have no reason to believe that this submission contains any material misrepresentation or omission of fact, and (3) the information contained in this submission is accurate and complete to the best of my knowledge.

I, further certify that pursuant to 19 C.F.R. § 201.6(b)(3)(iii) of the Commission's rules, that to the best of my knowledge and belief, information substantially identical to that for which proprietary treatment has been requested in this submission is not available to the general public.

  
\_\_\_\_\_  
Matthew McConkey

Subscribed and sworn to before me on this 25<sup>th</sup> day of May 2017.

  
\_\_\_\_\_  
Notary Public  
District of Columbia: SS

Subscribed and sworn to before me, in my presence,  
this 25<sup>th</sup> day of May, 2017  
by J. Alan O'Hair  
\_\_\_\_\_  
J. Alan O'Hair, Notary Public  
My Commission Expires February 29, 2020




**CERTIFICATION OF COUNSEL**

City of Washington    )  
                                  )  
District of Columbia   )

ss

In accordance with section 206.8 of the Commission’s rules, I, Timothy Brightbill, of Wiley Rein LLP, counsel to petitioner, SolarWorld Americas, Inc., certify that (1) I have read the attached submission, and (2) based on the information made available to me by petitioner, I have no reason to believe that this submission contains any material misrepresentation or omission of fact, and (3) the information contained in this submission is accurate and complete to the best of my knowledge.

I, further certify that pursuant to 19 C.F.R. § 201.6(b)(3)(iii) of the Commission's rules, that to the best of my knowledge and belief, information substantially identical to that for which proprietary treatment has been requested in this submission is not available to the general public.

  
Timothy Brightbill

Subscribed and sworn to before me on this 25<sup>th</sup> day of May 2017.

  
Notary Public



# ATTACHMENT 1

