{Insert Case Number (A-XXX-XXX)}
Total Number of Pages: {Insert Total Number of Pages}
{Insert Investigation or AD Review POR}
Enforcement & Compliance
AD/CVD Operations, Office {Insert Office Number}
{Indicate Business Proprietary, Public Version, or Public Document}

Georgia

Separate Rate Application
And Required Supporting Documentation

Requester:	{insert name of applicant/entity}[1]
Representation:	{insert name of counsel and law firm and contact info}
Case Information:	{Insert name of merchandise, country, and case number}
Period Of Investigation/Review:	{insert the period of investigation/review}
Deadline For Submission:	{Investigations: **21 days** from publication of the initiation notice; Administrative and New Shipper Reviews: **14 days** from publication of the initiation notice.} *See* https://www.trade.gov/non-market-economy-separate-rate-applications-and-certifications.[2]
Filing Instructions:	*See* "Instructions for Filing the Application" at Section V. *See also* https://access.trade.gov/ACCESS%20Handbook%20on%20Electronic%20Filing%20Procedures_March2026.pdf.

[1] If Commerce determined in a previous segment of the proceeding that certain exporters and producers should be treated as a single entity for purposes of an antidumping duty proceeding, then the entity may file a single separate rates application on behalf of the entity, identifying all the companies in that entity, and that the information in the application applies to all of the companies comprising that single entity. Absent such a determination by Commerce, each exporter is required to file its own separate rates application to be considered for a separate rate.
[2] The deadline for less-than-fair value investigations is also addressed in the initiation of investigation(s) notice published in the *Federal Register*. For administrative or new shipper reviews, the deadline is addressed in the notice of initiation of administrative reviews or new shipper review(s) published in the *Federal Register*.

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Introduction

The U.S. Department of Commerce (Commerce) assigns separate rates in non-market economy (NME) cases only if the Applicant can demonstrate an absence of both *de jure* and *de facto* governmental control over its export activities in accordance with the separate rate test criteria. In determining whether entities should receive a separate rate, Commerce focuses its attention on the exporter rather than the producer. *See Notice of Final Determination of Sales at Less Than Fair Value: Manganese Metal from the People's Republic of China*, 60 FR 56045 (November 6, 1995). Consequently, in all NME proceedings, Commerce will limit its consideration of separate-rate applications to entities that exported the merchandise from NME economies to the United States. For NME proceedings, and pursuant to 19 CFR 351.108(a)(1), Commerce may determine that "all entities located in that nonmarket economy country are subject to government control and thus part of a single, government-controlled entity, called the nonmarket economy entity." Further, pursuant to 19 CFR 351.108(a)(2), "all merchandise from the nonmarket economy exported to the United States and subject to an antidumping proceeding by entities in the nonmarket economy determined by the Secretary on the basis of record information to be part of the government-controlled entity may be assigned the antidumping cash deposit or assessment rate applied to the government-controlled entity. That rate is called the nonmarket economy entity rate." Finally, pursuant to 19 CFR 351.108(a)(3), "if a nonmarket economy government has direct ownership or control, in whole or in part, of an entity located in a third country and that entity exports subject merchandise to the United States, the Secretary may determine on the basis of record information that such an entity is part of the government-controlled entity and assign that entity the nonmarket economy entity rate."

In addition, to be considered for separate-rate treatment in a less-than-fair-value (LTFV) investigation, the Applicant must have a *bona fide* U.S. sale of merchandise under investigation to an unaffiliated purchaser during the period of investigation (POI). For a new shipper review or an administrative review, the Applicant must have a relevant U.S. sale of subject merchandise, an entry of subject merchandise into the United States during period of review (POR) and provide documentary evidence of an entry of subject merchandise for which liquidation was suspended during the POR with its application.

Further, effective January 15, 2025, Commerce promulgated regulations that address various levels of government control through ownership in its separate rates analyses. When an NME government, at a national, provincial, or other level, holds an ownership share of an entity located in the NME economy, either directly or indirectly, the level of ownership and other factors may indicate that the government exercises or has the potential to exercise control over an entity's general operations. Therefore, pursuant to 19 CFR 351.108(b)(1)(i), **no separate rate will be applied to an exporter located in an NME when the NME government either directly or indirectly holds:**

> (A) A majority ownership share (over fifty percent ownership) of an entity; or
> (B) An ownership interest in the entity of fifty percent or less and any one of the following criteria applies:

(1) The government's ownership share provides it with a disproportionately larger degree of influence or control over the entity's production, commercial, and export decisions than the ownership share would normally entail, and the Secretary determines that the degree of influence or control is significant;
(2) The government has the authority to veto the entity's production, commercial and export decisions;
(3) Officials, employees, government appointed or government-controlled labor union members, representatives of the government, or their family members have been appointed as officers or managers of the entity, members of the board of directors, or other governing authorities in the entity that have the ability to make or influence production, commercial and export decisions for the entity; or
(4) The entity is obligated by law or its foundational documents, such as articles of incorporation, or other de facto requirements to maintain one or more officials, employees, government appointed or government-controlled labor union members, or representatives of the government as officers or managers, members of the board of directors, or other governing authorities in the entity that have the ability to make or influence production, commercial and export decisions for the entity

To be clear, if an exporter located in an NME is owned, in part or in whole, by the NME government, and either (A) or (B) applies to that exporter, Commerce will not calculate a separate rate for that exporter. Commerce will not consider an application for a separate rate for an exporter under the circumstances identified above.

Section V below addresses questions regarding Applicant ownership with further instructions for the rest of the application.

If an entity demonstrates that neither 19 CFR 351.108(b)(1)(i)(A) nor (B) applies to the entity, it is appropriate for Commerce to continue its separate rates analysis for the Applicant and consider whether an entity's export activities are sufficiently independent of the government to be eligible for separate rate status, Commerce analyzes each exporting entity under the test established in the *Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China*, 56 FR 20588 (May 6, 1991) (*Sparklers*), and later expanded upon in *Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China*, 59 FR 22585 (May 2, 1994) (*Silicon Carbide*). Under this analysis and Commerce's regulations, exporters of subject merchandise are accorded separate, company-specific margins if they can provide sufficient proof of an absence of government control, both in law (*de jure*) and in fact (*de facto*), with respect to their export activities.

Evidence supporting, though not requiring, a finding of *de jure* absence of government control over export activities includes: (1) an absence of restrictive stipulations associated with an individual exporter's business and export licenses; (2) any legislative enactments decentralizing control of companies; and (3) any other formal measures by the central and/or local government decentralizing control of companies. *See Sparklers*, 56 FR at 20588. In addition, pursuant to regulatory changes effective January 15, 2025 (19 CFR 351.108(b)(ii)), Commerce also considers an additional factor in the *de jure* analyses: the absence of a legal requirement that one

or more officials, employees, government-appointed or government controlled labor union members, or representatives of the government serve as officers or managers of the entity, members of the board of directors, or other governing authorities in the entity that make or influence export activity decisions.

If the entity demonstrates that 19 CFR 351.108(b)(1)(i)(A) and (B) and (b)(1)(ii) do not apply to the entity, the entity must then demonstrate that the government has no *de facto* control of the entity's export activities. Commerce's analysis of absence of de facto government control over exports is typically based on the following four factors: (1) whether each exporter sets its own export prices independent of the government and without the approval of a government authority; (2) whether each exporter retains the proceeds from its sales and makes independent decisions regarding disposition of profits or financing of losses; (3) whether each exporter has the authority to negotiate and sign contracts and other agreements; and (4) whether each exporter has autonomy from the government regarding the selection of management. *See Silicon Carbide*, 59 FR at 22586-87. Pursuant to regulatory changes effective January 15, 2025 (19 CFR 351.108(b)(iii)), Commerce also considers two additional factors in the de facto analyses: (1) whether the entity maintains or must maintain one or more officials, employees, representatives of the government, or their family members as officers or managers, members of the board of directors, or other governing authorities in the entity which have the ability to make or influence export activity decisions; and (2) whether there is any additional evidence on the record suggesting that the government has no direct or indirect influence over the entity's export activities.

Finally, if an NME government has direct ownership or control, in whole or in part, of an entity located in a third country and that entity exports subject merchandise to the United States, the Secretary may determine on the basis of record information that such an entity is part of the government-controlled entity and assign that entity the nonmarket economy entity rate.

Following the test outlined above, this form is an application for separate rate treatment in the LTFV investigation/review. If used in an administrative or new shipper review, this application is intended for companies that do not currently have separate rate status; companies that currently have separate rate status should instead complete the separate rate certification form.

GENERAL INSTRUCTIONS

A. Entities That May Apply

As noted above, an entity exporting merchandise from the NME country subject to the investigation or *Order*, whether located in the NME country or a third country, is subject to a separate rates analysis. This includes: (1) entities located in the NME country with NME government ownership, at any level; (2) entities located in the NME country without any NME government or third country ownership; (3) entities located in the NME country without any NME government ownership but have ownership by parties located in market economy countries, at any level; and (4) exporters located in market economy countries which export subject merchandise to the United States and are owned or controlled, in whole or in part, by the NME government, including state owned enterprises.

Exporters, whether or not located in the NME country, owned wholly by entities located in market-economy countries, provided that the ultimate owners are also located in market-economy countries and are incorporated and headquartered in the market-economy country (wholly market-economy owned companies), need only fill out the certifications contained in this application and provide supporting documentation for the fields in the application that are marked with an asterisk, "*" **including the appendices to this Application**.[3] These marked fields pertain to the entity's eligibility for separate rates consideration and support the entity's claim that it is in fact wholly owned by a market-economy entity and incorporated and headquartered in the market-economy country in accordance with 19 CFR 351.108(c). This information is also necessary for administration once a separate rate has been issued.

Unless the Applicant was previously determined to comprise a single entity (*see* footnote #1), **each** Applicant seeking separate rate status must submit a separate and complete application regardless of any common ownership or affiliation between entities and regardless of foreign ownership. **Each entity must apply for a separate rate by submitting an individual application. Only one entity per application is permitted.**

Pursuant to 19 CFR 351.108(e), entities that submit separate rate applications or certifications and are subsequently selected to be an individually examined respondent in an LTFV investigation or review by Commerce, must fully respond to all parts of the initial questionnaire and fully participate in the antidumping proceeding to be eligible for separate rate status.[4]

B. Identity of Applicant

The name that is provided to Commerce in the application must be the name that appears on the exporter's business license/registration documents. All shipments to the United States declared to U.S. Customs and Border Protection (CBP) must identify the exporter by its legal business

[3] Appendix A (Requirement): Certificate of Service, Company Certification and Representative Certification; Appendix B (Optional): Illegible Copies Certification; and Appendix C (Informational): Affiliation Structure Example.

[4] This includes, but is not limited to, responding to additional questionnaires or requests for information, and participating in a verification of record information pursuant to 19 CFR 351.307, where applicable.

name, and this name must match the name that appears on the exporter's business/registration documents. If the Applicant's entity is assigned separate rate status, the Applicant's entity will only be able to ship under the Applicant's separate rate names that are included on the Applicant's business license/registration documents, or for which the Applicant has explained are otherwise permitted, *see* Section I, question #2 below).

C. Affiliations

There are two sets of requirements for reporting any affiliations with other entities involved in the production, distribution, or sale of the subject merchandise, one for wholly market-economy owned entities and another for NME-owned entities.

- Wholly market-economy owned entities are required to report all their affiliations with other entities involved in the production, distribution, or sale of the subject merchandise.

- Entities that are not owned wholly by market-economy entities, however, must only identify any affiliates that exported subject merchandise to the United States during the period of investigation/review and any U.S. affiliates involved in the distribution or sale of the subject merchandise.

As noted above, each Applicant seeking separate rate status must submit a separate and complete individual application regardless of any common ownership or affiliation between entities and regardless of foreign ownership.

D. Supporting Documents

All documents submitted in response to a specific question must pertain to the same sale. If volumes or values do not exactly match from one document to the next, the Applicant must provide a clear narrative explanation as to why they do not and what the appropriate links are among the documents. The Applicant must also provide and explain additional documentation necessary to corroborate its explanation in this regard. For example, if an invoice shows the sales value of $10,000, but the payment amount is $15,000, the Applicant must explain the difference and provide documentary support for the explanation.

All documents submitted with the application must be, to the extent possible, directly unaltered photocopies of the original documents (*i.e.*, no copies of copies, and the documents must not be altered in any way, including tracing). All documents submitted with the application must be legible to the maximum extent possible. In case the direct photocopy is not legible, or if submitting a direct photocopy is not possible, the Applicant must supply the most legible unaltered photocopy available. Entities that are not able to submit completely legible copies of all the documents required in the application, or are unable to submit a required document, must complete the additional certification in Appendix B and include an explanation of why the submission of completely legible documents is not possible. In addition, the Applicant must provide supplemental information explaining the contents of any documents that are not fully legible. Illegible or altered documents cannot be considered evidence of the points for which

they are required if not accompanied by the requisite certification and explanations in Appendix B.

All documents generated in a language other than English must be translated into English. The original language document must also be included with all translations. If all documentation is not complete or if documents are not fully translated, Commerce will consider these documents missing for purposes of the separate rate analysis.

Please label all documents submitted in response to the application with sequential page numbers, so Commerce may refer to each document by its respective page number.

E. Application Structure

This Application is divided into five sections:

Section I identifies the Applicant or collapsed entity, where applicable, that is applying for separate rate status and demonstrates that this firm is eligible for a separate rate by confirming, for an administrative review, that it had a suspended entry of subject merchandise into the United States during the POR and a relevant sale of subject merchandise to an unaffiliated purchaser, or, for an investigation, that it had a sale of subject merchandise to an unaffiliated purchaser during the POI.

Section II requests information regarding the entity's ownership structure and the level of ownership by a NME government, at any level.

Section III certifies that the entity meets the *de jure* requirements, i.e., that there are no legal barriers to a entity's independent control over its export activities at either the national or any sub-national level.

Section IV attests to *de facto* independence, *i.e.*, that this *de jure* independence also exists in practice.

Section V addresses the filing requirements and gives Applicants an opportunity to request business proprietary treatment for information that they submit.

Appendix A (requirement) contains the required certifications that an officer of the entity must make to Commerce, indicating that the information provided in the application is complete and correct.

Appendix B (optional) contains an additional certification, to be completed by entities that are unable to submit completely legible copies of all the documents required in the application.

Appendix C (informational) provides a sample chart of corporate affiliations that entities may wish to use when submitting information regarding corporate structure and affiliations.

Entities completing this form are certifying that their responses contained in this form are complete and accurate and that the supporting documentation supports the answers they provide in the application. Commerce only accepts applications that are completed in full (except for wholly market-economy owned enterprises or companies owned by 50 percent or more by the NME government) and submitted with all the required supporting documentation filed timely and in proper form. The questions in these sections that require supporting documentation to be part of the Applicant's response are identified in the application and list the specific types of documents accepted by Commerce.

As noted above, all supporting documentation pertaining to a U.S. sale must pertain to the same sale and be legible. Moreover, the information contained in these documents must be consistent. If there are any discrepancies between information contained in a series of documents pertaining to the same sale, all such discrepancies must be clearly identified and explained. This is necessary to substantiate the claim for separate rates eligibility.

F. Possible Requests for Additional Information

Submission of alternate documents in lieu of documents that are not available and/or clarification of documents that are not completely legible may be acceptable, depending on the facts of each individual case, but may result in Commerce's issuance of additional supplemental questions and the conduct of an on-site verification to establish the integrity, reliability, relevance and suitability of the alternative documentation for separate-rate purposes. All Applicants that do not provide completely legible photocopies of all the documents that are required in the application also must submit the additional certifications in Appendix B and include an explanation why the submission of completely legible photocopies of all the documents required in the application is not possible.

Since Applicants have clear notice of what is required to document a separate-rate claim, incomplete applications may be rejected without supplementary questionnaires. Completing the application and submitting the supporting documentation does not guarantee receipt of separate rate status. Commerce will review each completed application. If Commerce finds that the certifications are not supported by the attached documents or are incomplete, the Applicant will not have demonstrated to Commerce that it qualifies for a separate rate. If the Applicant does not provide the required documentation in the required form or is unable or unwilling to make the requested certifications, the Applicant will not have demonstrated its eligibility for a separate rate.

If necessary, Commerce will issue questionnaires for the purpose of clarifying fully responsive answers. Commerce retains the right to request additional information concerning the representations made in the Applicant's application.

G. Verification of Information

All information submitted and representations made by Applicants are subject to verification. If Commerce selects the Applicant's entity for an on-site verification, Commerce will provide the Applicant's entity with additional instructions at a time preceding the verification.

H. Application Deadlines

LTFV Investigations:

- Pursuant to 19 CFR 351.108(d)(1), Applicants must individually complete and submit this form with all the required supporting documentation no later than twenty-one (21) days from the publication date of the initiation of the LTFV investigation notice in the *Federal Register*. This deadline applies equally to NME-owned and wholly market-economy owned companies. **Entities whose applications are incomplete or otherwise deficient may be denied a separate rate.**

- In addition to submitting a complete separate rates application, where applicable, the Applicant must also respond to Commerce's quantity and value (Q&V) questionnaire, as discussed in the initiation of LTFV investigation notice, to receive consideration for a separate rate. Responses to the Q&V questionnaire from all participating respondents are necessary to ensure that Commerce has the requisite information to appropriately select mandatory respondents.

Administrative and New Shipper Reviews:

- Pursuant to 351.108(d)(2), if the entity has not been previously assigned a separate rate, the entity will file a separate rate application on the record no later than fourteen (14) days following publication of the notice of initiation in the Federal Register. In both new shipper reviews and administrative reviews, documentary evidence of an entry of subject merchandise for which liquidation was suspended during the POR must accompany the separate rate application. This deadline applies equally to NME-owned and wholly market-economy owned entities. Entities whose applications are incomplete or otherwise deficient may be denied a separate rate.
- Pursuant to 351.108(d)(3), in administrative reviews, if the entity has been previously assigned a separate rate in the proceeding, no later than fourteen (14) days following publication of the notice of initiation in the *Federal Register*, the entity will instead file a certification on the record in which the entity certifies that it had entries of subject merchandise for which liquidation was suspended during the period of review and that it otherwise continues to meet the criteria for obtaining a separate rate. If Commerce determined in a previous segment of the proceeding that certain exporters and producers should be treated as a single entity for purposes of the antidumping proceeding, then a certification filed under this paragraph must identify and certify that that the certification applies to all the companies comprising that single entity. This deadline applies equally to NME-owned and wholly market-economy owned entities. **Entities whose applications are incomplete or otherwise deficient may be denied a separate rate.**

SECTION I: GENERAL APPLICANT INFORMATION

*1. Provide the complete and exact name information (including address, telephone, fax, and e-mail address) of the exporter[5] applying for separate rate status:

_____

_____

*2a. Is the Applicant identified by any other names, such as trade names or "doing-business as" ("d.b.a.") names, as a legal matter in the home market, in third countries, or in the United States?[6] Please place an "X" on the selected answer.

__Yes (complete chart below, in full)
__No

If yes, then complete the chart below in full with all trade names and/or d.b.a. names, when and under what circumstances they are used, and confirm whether the business license/registration documents submitted with this application and covering the POR/POI include each of these or other alternative names. Please also provide evidence that these names were used during the POR/POI. Then, please answer question 2b.

If a trade name is not listed on the entity's business license/registration documents, please provide an explanation and any evidence as to how the entity is permitted to use that trade name.

	Covered by the Business License (Y/N)	Capacity in which the trade name/DBA used	Used during POI/POR (Y/N)	Cite to Evidentiary Support in this
Trade Name/DBA 1				(i.e., Exhibit #)
Trade Name/DBA *n*				

*2b. Is the Applicant requesting separate rate status for any of the trade names listed in the table above? If so, please list the trade names or d.b.a. names, noted above, for which the Applicant is requesting separate rate status. Please note that the Applicant must provide documentary evidence that the trade name or d.b.a. name was used during the relevant period.

[5] Ensure that each Applicant seeking separate rate status is submitting a separate and complete individual application regardless of any common ownership or affiliation between firms and regardless of foreign ownership. The Applicant's response to this question should have only one entity name.

[6] Trade names are other names under which the entity does business. It does not include product brand names or the names of any other entities in the Applicant's "group," affiliated or otherwise. If the Applicant's entity is assigned separate rate status, the Applicant's entity will only be able to ship under the Applicant's separate rate under names that are included on the Applicant's business license/registration documents, or are otherwise permitted, as explained in the Applicant's response to this question.

*3. The Applicant certifies the accuracy of and can document the following statements (place an "X" on any of the following that apply):

__a. For administrative reviews: Applicant has a sale of subject merchandise to an unaffiliated purchaser in the United States that was made during the POR or that is related to a suspended entry of subject merchandise during the POR.
For investigations: Applicant has sale of subject merchandise to an unaffiliated purchaser in the United States during the period of investigation.

__b. For administrative reviews: Applicant has a sale of subject merchandise to an unaffiliated third-country purchaser for exportation to the United States that was made during the period of review or that is related to a suspended entry of subject merchandise during the POR.
For investigations: Applicant has a sale of subject merchandise to an unaffiliated third-country purchaser for exportation to the United States that was made during the period of investigation.

__c. For administrative reviews: Applicant has, under its own name(s), made a shipment of subject merchandise that was entered for consumption in the United States during the period of review.

*4. The Applicant certifies that it will, to the maximum extent possible, provide a direct legible photocopy (not a copy of a copy) of all the following original documents for the sale by invoice date of subject merchandise to an unaffiliated customer in the United States during the POR/POI for a commercial transaction.[7] These documents must not be altered in any way. If the Applicant's entity's sale by invoice date during the period of investigation/review was a sample sale, a sale of non-commercial quantities, or a sale to an affiliated party, identify this sale and provide documentation on another sale.[8] If the Applicant is not able to supply completely legible photocopies of any documents required below, the Applicant must supply the most legible photocopies available, complete the additional certification in Appendix B, and include an explanation in it of why submission of all the photocopies in completely legible form is not possible.

A. The U.S. Customs 7501 Entry Summary or the U.S. FDA Release Form.[9]

For reviews, an entity cannot obtain a separate rate without providing Commerce the relevant U.S. Customs 7501 Entry Summary for a suspended entry, unless other evidence of a suspended entry exists on the record of this segment.

[7] If the Applicant is not able to supply completely legible photocopies of any documents requested in the application, the Applicant must attach an explanation of why submission of completely legible photocopies is not possible.

[8] If the Applicant's firm has *only* made sales to affiliated parties during the period of investigation/review, the Applicant must provide evidence of the first sale to an *unaffiliated* U.S. customer by the affiliated party to qualify for a separate rate.

[9] If the merchandise was entered into the United States informally using Customs Form 368 or 368A because the value of the entry was USD $2000 or less, provide a copy of Customs Form 368 or 368A.

B. The bill of lading
C. The commercial invoice
D. The packing list
E. Documentation demonstrating receipt of payment

All the documents above must pertain to the same sale, unless one of the conditions discussed above applies). In addition to providing these documents, the Applicant must provide a narrative explanation of how the documents relate to one another and what the specific links are among the documents. If volumes or values do not exactly match from one document to the next, the Applicant must provide in this narrative a clear explanation of any apparent discrepancies among the documents. The Applicant must also provide and explain additional documentation necessary to corroborate its explanation in this regard. For example, if the invoice and payment amount do not match, the Applicant must explain the difference and provide documentary support for this explanation.

*5. Does the Applicant have any knowledge that merchandise it sold was resold to the United States through market-economy third-country exporters in U.S. dollars?[10] Please place an "X" on the selected answer.

__Yes
__No

*6. Provide the full name and contact information (including address, telephone, fax, and email address) of each of the Applicant's producers and/or suppliers of subject merchandise whose merchandise the Applicant sold or exported to the United States during the POR/POI:[11]

_____

_____

*7. Are the producers and/or suppliers listed under question 6 above, identified by any other names as a legal matter in the home market, in third countries, or in the United States (*i.e.*, do the companies use trade names)?[12] Please place an "X" on the selected answer.

__Yes
__ No

If yes, then list all other names here, and provide a copy of the business licenses/registration documents showing that the suppliers use these alternative names and the dates on which these names were in effect.

[10] The current list of NME countries is found at https://www.trade.gov/nme-countries-list.
[11] With respect to investigations, if the Applicant's entity is assigned separate rate status, the rate will only apply to merchandise exported by the Applicant's entity and supplied by the producers identified here. *See* Enforcement & Compliance Policy Bulletin 05.1, available on Commerce's website at https://www.trade.gov/policy-bulletin-051.
[12] Trade names are other names under which the entity does business. It does not include product brand names or the names of any other entities in the Applicant's "group," affiliated or otherwise.

*8. Indicate whether, to the best of the Applicant's knowledge, the producers and/or suppliers identified under question 6 above directly exported subject merchandise to the United States during the period of investigation/review

_____

_____

SECTION II: APPLICANT OWNERSHIP

*1. Provide the names and ownership percentages of all individuals, entities/companies, governments, including state-owned enterprises and associations, or organizations that owned the Applicant's entity during the POI/POR. Explain how the Applicant calculated the percentage of ownership. Provide the supporting documentation for the reported ownership percentages

*2. Of those parties identified in response to question #1 in Section II, state whether the NME government, at a national, provincial, or other level, held an ownership share of the Applicant's entity, either directly or indirectly, at more than fifty percent ownership during the POI/POR. Indicate the exact NME government ownership percentage of the Applicant's entity and explain how the Applicant calculated the percentage of ownership. Provide the supporting documentation for the reported ownership percentages.

STOP

If the NME government, including state-owned enterprises, at any level (national, provincial, or otherwise), owned, directly or indirectly, more than fifty percent of the Applicant's entity during the POI/POR, do not complete the rest of this application. Instead, submit only the Applicant's responses and documentation through question #2 above.

STOP

*3. Of those parties identified in response to question #1 in this Section II, identify the NME government, at a national, provincial, or other level, that held an ownership share of the Applicant's entity, either directly or indirectly, at fifty percent or less ownership, during the POI/POR. Indicate the exact NME government ownership percentage of the Applicant's entity during the POI/POR and explain how the Applicant calculated the percentage of ownership. Provide the supporting documentation for the reported ownership percentages.

*4. Explain how the NME government exercised influence or control over the Applicant's entity's production, commercial, and export decisions during the POI/POR. Also, explain how the NME government's activities or oversight differs from other owners of the Applicant's entity.

*5. Explain whether the NME government had the authority to veto the entity's production, commercial and export decisions during the POI/POR. If the NME government did not have such authority, provide documentation showing how veto authority is addressed in the Applicant's entity's documents, *i.e.*, articles of incorporation/association, shareholder agreements, board of directors minutes or bylaws, entity issued resolutions/notifications, *etc*.

_____

_____

*6. Explain whether any NME government officials, employees, NME government-appointed or NME government-controlled labor union members, representatives of the NME government, or their family members have been appointed as officers or managers of the Applicant's entity. Also explain if they, members of the board of directors, or other governing authorities in the entity had the ability to make or influence production, commercial and export decisions for the Applicant's entity during the POI/POR.

_____

_____

*7. Explain whether the Applicant's entity is obligated by law or its foundational documents, such as articles of incorporation, or other de facto requirements to maintain one or more officials, employees, NME government-appointed or NME government-controlled labor union members, or representatives of the NME government as officers or managers, members of the board of directors, or other governing authorities in the Applicant's entity that have the ability to make or influence production, commercial and export decisions for the Applicant's entity.

_____

_____

SECTION III: *DE JURE* CONTROL

If an entity demonstrates that neither 19 CFR 351.108(b)(1)(i)(A) nor (B) applies to the entity, the entity must then demonstrate that the government has no control in law (*de jure*) of the entity's export activities. The following criteria may indicate the lack of government *de jure* control of the entity's export activities.

Please place an "X" on the lines in questions #1 through #3 below if the Applicant can certify that the statements below are accurate:

*1. __The Applicant certifies that there were no NME government laws or regulations, at either national and sub-national (*e.g.*, provincial, local) levels of NME government, that controlled the Applicant's export activities during the POI/POR.

*2. __The Applicant certifies there was an absence of a legal requirement that one or more officials, employees, NME government-appointed or NME government-controlled labor union members, or representatives of the NME government serve as officers or managers of the Applicant's entity, members of the board of directors, or other governing authorities in the entity that make or influence export activity decisions during the POI/POR.

*3. __The Applicant possesses an official government business license/registration documents valid during the POI/POR and is submitting with the application original language and translated copies of any business licenses in effect during the POR/POI, the most current business license, and original-language and translated unaltered photocopies of any and all additional business licenses/registration documents or amendments thereto issued to the Applicant and in effect during the POR/POI. If the Applicant is not able to supply completely legible photocopies of any of these required documents, the Applicant must supply the most legible photocopies available, complete the additional certification in Appendix B, and include an explanation in it of why submission of all the photocopies in completely legible form is not possible.[13]

4. Indicate the full name and contact information (address, telephone, fax, and e-mail address) of the business license/registration documents authority which issued the Applicant's business license/registration documents and the expiration date of the Applicant's business license/registration documents valid during the POI/POR.

_____

_____

5. The Applicant should provide the month, day, and year on which the business license authority last renewed the Applicant's business license/registration documents.

[13] Note that if Commerce determines that the Applicant's entity is eligible for separate rate status, the separate rate will only apply to the entity as named in the Applicant's business license/registration documents and not to any alternative or trade names that are not included in the Applicant's business license/registration documents. It is Commerce's understanding that a valid business license/registration documents with clearly defined periods of validity issued by the appropriate licensing authority is required for all business activity. An Applicant submitting a business license without an expiration date must provide an explanation for Commerce to consider its application.

_____

_____

*6. Please indicate with an "X," from the following choices, the ownership structure under which the Applicant's entity has registered itself with the official government business license issuing authority.

__ owned by all the people
__ collective
__ limited liability
__ proprietorship
__ partnership
__ joint-stock company
__ other (please describe): _____

Please indicate with an "X," from the following choices, any applicable secondary forms of registration related to foreign-invested enterprises that apply to the Applicant's entity:

__ domestic-foreign equity joint venture
__ domestic-foreign contractual joint venture
__ wholly foreign-owned enterprise
__ other (please describe): _____

7. Indicate the full name and contact information (address, telephone, fax, e-mail address) of the business license authority which issued the Applicant's export certificate of approval and the dates on which it was in effect.

_____

_____

8. Provide the month, day, and year on which the business license authority issued the Applicant's export certificate of approval.

_____

_____

9. __ By placing an "X" on this line, the Applicant certifies that it is submitting with the application and original-language and the translated copy of its export certificate of approval or foreign trade operator registration form which was valid during the POI/POR.[14]

10. To conduct export activities, is the Applicant required by any national, provincial, or local government law or regulation to possess additional certificates or other documents

[14] It is Commerce's understanding that an export certificate of approval or foreign trade operator registration form issued by the appropriate licensing authorities is required for all export activity. Therefore, Commerce will not consider a separate rate for any Applicant not providing such a certificate/form.

related to the legal status and/or operation of its business beyond those discussed above?[15] Please place an "X" on the selected answer.

__Yes
__No

If yes, identify the certificates below, and submit original language and translated copies thereof with the application.

_____
_____

11. Please list all the basic or essential Georgian government laws and legislative enactments that relate to the question of whether the applicant firm can engage in export activities independent from government control. Please also provide original-language and translated copies of each of these laws and legislative enactments pertinent to independent business operations (*e.g.*, an investment law, company law, civil code, *etc*.)

12. Are there any sub-national (provincial, local) government laws affecting the entity's export decisions? Please place an "X" on the selected answer.

__Yes
__No

If yes, identify the laws and submit original and translated copies of each provincial or local government law with the application:

_____
_____

[15] Commerce is interested only in government laws or regulations which restrict or limit exports rather than regulations which regulate purely domestic operations (*i.e.*, environmental or labor regulations). If the Applicant is unsure of the possible relevance of a given law, please contact Commerce immediately.

SECTION IV: *DE FACTO* CONTROL

If the entity demonstrates that neither 19 CFR 351.108(b)(1)(i)(A) and (B) and (b)(1)(ii) apply to the entity, the entity must then demonstrate that the government has no control in fact (de facto) of the entity's export activities. The following criteria may indicate the lack of government de facto control of the entity's export activities.

A. NME Government Authorities

*1. __By placing an "X" on this line, the Applicant certifies that it does not maintain or must maintain one or more officials, employees, representatives of the government, or their family members as officers or managers, members of the board of directors, or other governing authorities in the entity which have the ability to make or influence export activity decisions.

If the Applicant did not place a check on the line, please identify the individuals who are either officials, employees, representatives of the government, or their family members as officers or managers, members of the board of directors, or other governing authorities maintained by the Applicant's entity that have the ability to make or influence export activity decisions.

_____

_____

B. Ownership

*1. For each intermediate and ultimate shareholder entity, please respond to the following. In the Applicant's response, please ensure that the Applicant includes information regarding the ownership of the Applicant's reported shareholder entities. The ultimate owners may be individuals, government entities, *etc*.[16] A shareholder entity which has further ownership (such as individuals or additional shareholder entities) is not considered the ultimate shareholder, but an intermediate owner. Information must be included for all intermediate and ultimate owners.

a. Provide the names and contact information (full business address, telephone number, fax number, and e-mail address) of the legal entities which are the shareholders (*i.e.*, both intermediate and ultimate owners) of each shareholder entity and indicate the percentage ownership.
b. Submit a copy of each shareholder entity's business license.
c. State the legal domicile of each shareholder entity.[17]

_____

__ _____

[16] Please state in the Applicant's response if any of the Applicant's intermediate or ultimate shareholders are owned or supervised, in full or in part, by a state-owned assets or investment supervision and/or administration entity.
[17] Note to firms applying as wholly owned by a foreign entity that are both incorporated and headquartered in a market economy country or countries: document whether the ultimate owners of the Applicant's company incorporated and headquartered in market-economy countries and indicate which market-economy countries.

*2. If any of the Applicant's intermediate and/or ultimate shareholders reported in response to question #1 in this section, are government entities, or are supervised by a government entity, please respond to the following:

a. Provide a description of the nature of the government entities' relationship with the Applicant.
b. Provide a breakdown of the different types of shares by owner (*e.g.*, please explain whether there are voting, non-voting, controlling, shares with special rights, "golden shares," etc.)
c. Explain whether the government entity is involved in the activities or selection of the Applicant's board of directors and/or board of supervisors.

*3. The Applicant must provide the following documentation to support the Applicant's response to question 1 above.

a. capital verification report
b. consolidated financial statements
c. share transfer agreement
d. articles of incorporation/articles of association
e. export certificate of approval

If the Applicant is not able to submit legible, unaltered photocopies of each of these documents, the Applicant must provide the most legible unaltered copies of the documents available, complete the additional certification in Appendix B, and provide a narrative description of why the Applicant is not able to provide legible photocopies of all the above documents.

4. Identify the top 10 individual shareholders of the Applicant's entity. If the top 10 individual shareholders of the Applicant's entity do not make up at least 50 percent of the ownership of the Applicant's entity, identify the largest shareholders which make up at least 50 percent ownership.

_____

_____

_____

_____

5. Please state what relationship(s) each shareholder entity's managers and the members of the board of directors has with any level of the government, (*e.g.*, national, provincial, local) and/or government agencies.

6. For the top ten individual owners of the intermediate and ultimate shareholder entities (i.e., shareholders that are not individuals) of the applying entity, please state whether they hold office at any level of the NME government (*e.g.*, national, provincial, local) or held office at any NME government agencies during the past three years. If so, for each individual, identify the office held, the level of the government and/or agency with which the office is held, and describe the official role of each.

C. Price Negotiation

Please place an "X" on the lines below to make the following certifications.

1 __ The Applicant certifies that its export prices are not set by, subject to the approval of, or in any way controlled by a government entity at any level (national, provincial, local).[18]

2 __ The Applicant certifies that it has independent authority to negotiate and sign export contracts and other agreements (conducts independent price negotiation).[19]

3. The Applicant must provide documentation supporting its certification that the Applicant conducts independent price negotiations. The Applicant must submit such documentation related to the first sale of the period of investigation/review with the application.[20] If the Applicant cannot provide such documentation, please contact the official in charge. Examples include the following types of documentation:

   a. faxes/e-mail correspondence between Applicant and unaffiliated U.S. customer
   b. purchase order from unaffiliated U.S. customer
   c. order confirmation
   d. logs of negotiations conducted over the telephone with an unaffiliated U.S. customer

If the Applicant does not have any documentation to support the Applicant's certification that the Applicant's entity conducts independent price negotiation, the Applicant may submit an affidavit as an alternative. This affidavit testifying to independent price negotiation must signed and dated by an unaffiliated U.S. customer and include the unaffiliated U.S. customer's contact information.

D. Selection of Management

1. __ By placing an "X" on this line, the Applicant certifies that it has autonomy from all levels of the government (national, provincial, local) and from any government entity in making decisions regarding the selection of management.

---

[18] This includes, but is not limited to, the presence of government officials at any meeting where export and pricing decisions are discussed.

[19] The authority to conduct independent price negotiation refers to the ability of an NME exporter to set its own export prices independently of the government at any level (national, provincial, local) and without the approval of any government entity.

[20] Applicants must provide documents showing price negotiation, not documents merely confirming that a sale will take place at a given price. If the Applicant's entity conducts its price negotiation by phone, does not keep phone logs of meetings conducted over the phone, and therefore has no records of price negotiation, the Applicant is required to attach: (1) a certification that there are no records of price negotiation; and (2) an affidavit signed and dated by the unaffiliated U.S. customer attesting that it conducts independent price negotiation with the applying firm. Affidavits must provide adequate information to link the Applicant to the party signing the affidavit.

2. The Applicant must provide specific documentation that evidences independence in the selection of management which supports its certification in question #1 of this subsection. Examples might include the following:

   a. Appointment letters
   b. Director meeting notes
   c. Company-issued resolution/notifications (besides appointment letters)

3. Provide the name of each manager and board member in the entity who held a management position during the period of investigation/review and the date (month, day, year) that each of the managers obtained his or her position at the Applicant's entity. Also provide the names of each manager and his or her employment (*i.e.*, position, name of entity) for the three years prior to working at the Applicant's entity if they have been working at the Applicant's entity for less than three years.

_____

_____

4. Have any of the applying entity's managers or board members worked for the government, at any level (national, provincial, local), or any government entity, in the past three years? Please place an "X" on the selected answer.

   __Yes
   __No

   If yes, briefly describe the government involvement of the manager in question in supporting documentation.

   _____

   _____

5. Is the Applicant's entity required to submit any of its candidates for managerial positions within the firm for approval to any government entity at any level (national, provincial, local)? Please place an "X" on the selected answer.

   __Yes
   __No

   If yes, the Applicant certifies that the Applicant is filing a document with the application containing an explanation.

   _____

   _____

E. Disposition of Profits

1. __ By placing an "X" on this line, the Applicant certifies that it retains the proceeds of its export sales and makes independent decisions regarding the disposition of profits or financing of losses.

2. If the Applicant realized a profit during the period of investigation/review, then describe the process by which the Applicant's profits were distributed. Specifically, indicate the sections in the entity's books and records where such profits were recorded.

_____

_____

3. Did the Applicant make any disbursements to government accounts during the period of investigation/review other than for tax or government-provided goods or services? Please place an "X" on the selected answer.

__Yes
__No

4. If yes, briefly describe the government involvement of the manager in question and provide supporting documentation.

_____

_____

5. __ By placing an "X" on this line, the Applicant certifies that it will provide the following information for each bank account held by the Applicant during the POI/POR, upon request:

   a. Name and address of the bank
   b. Bank account number
   c. Month/Year in which the account was opened

6. __ By placing an "X" on this line, the Applicant certifies that it has attached to this application the audited year-end financial statements covering all months of the POIR/POR.[21] If the Applicant does not have audited year-end financial statements for the period in question, it must affirmatively state so and submit un-audited year-end financial statements with the application covering all months of the POI/POR.

F. Affiliation

Section 771(33) of the Tariff Act of 1930, as amended, (the Act) defines affiliates as:

   (A) Members of a family, including brothers and sisters (whether by the whole or half blood),spouse, ancestors, and linked descendants
   (B) Any officer and director of an organization and such organization
   (C) Partners
   (D) Employer and Employee

[21] If financial statements covering the POI/POR are not available at the time this application is filed, please indicate when these statements would be available and submitted to Commerce, and provide Commerce with monthly financial statements, if available.

(E) Any person directly or indirectly owning, controlling, or holding with power to vote, five percent or more of the outstanding voting stock or shares or any organization and such organization
(F) Two or more persons directly or indirectly controlling, controlled by, or under common control with, any person
(G) Any person who controls any other person.

For the purposes of affiliation, Commerce will consider a person to control another person if the person is legally or operationally in a position to exercise restraint or direction over the other person.

*1. Place an "X" on the selected lines below and explain whether the Applicant's entity made sales to unaffiliated parties, affiliated parties, or both during the POI/POR, as defined by section 771(33) of the Act (see above definition). If the Applicant's entity only made sales to affiliated parties during the POR/POR, the Applicant must provide evidence of the first sale to the first unaffiliated party to qualify for a separate rate.

__ sales to affiliated parties only
__ sales to unaffiliated parties only
__ sales to both affiliated and unaffiliated parties

*2. As defined by section 771(33) of the Tariff Act of 1930, as amended, does the Applicant have any affiliates located in the United States, or that exported merchandise to the United States which would fall under the description of merchandise covered by the scope of the proceeding? Please place an "X" on the selected answer.

__Yes
__No

If the Applicant's entity is affiliated with any other exporters of subject merchandise pursuant to this definition of affiliation, then the Applicant must list the full names and contact information (business address, telephone, fax, e-mail address) of the affiliates below. In addition, it would be useful if the Applicant provided a chart demonstrating the ownership and affiliation structure of all the Applicant's affiliates that are involved in the production or sale of subject merchandise. For an example of how the Applicant might design this chart, see Appendix C.

_____

_____

*3. As defined by section 771(33) of the Act, does the Applicant have any *affiliates involved in the production or sale of merchandise in the home market, third country markets, or the United States* that would fall under the description of merchandise covered by the scope of the proceeding? Please place an "X" on the selected answer.

__Yes
__No

If the Applicant is affiliated with any other producers or exporters of subject merchandise pursuant to this definition of affiliation, then list the full names and contact information (business address, telephone, fax, e-mail address) of the affiliates below. In addition, it would be useful if the Applicant provided a chart demonstrating the ownership and affiliation structure of all the Applicant's affiliates that are involved in the production or sale of subject merchandise. For an example of how the Applicant might design this chart, see Appendix C.

_____

_____

G. Additional Government Influence

*1. Please state whether there is any additional evidence on the record suggesting that the government has direct or indirect influence over the Applicant's entity's export activities. If so, please provide a narrative detailing how the government has a direct or indirect influence over the Applicant's entity's export activities.

_____

_____

_____

It is not Commerce's intention to provide an exhaustive list of examples of additional evidence that might indicate *de facto* government influence over export activities, and such a determination would be left to Commerce to determine based on the information on the record on a case-by-case basis. However, one example of means by which a government could influence an entity's export activities that is not articulated in the regulation is through threats, coercion, or intimidation. If the administrative record showed that the government participated in or sanctioned threats, coercion, or intimidation of an entity, either directly or indirectly, and those actions impacted, or likely influenced, the entity to modify its export activities, Commerce would deny separate rate treatment to an entity under this factor. Governments can influence the export activities of companies through a variety of *de facto* means, such as through entity decision making when the government is an owner of shares in an entity, when there are ''insiders'' within the entity who directly work for the entity but take orders from the government, or when decision-making is made under duress associated with government-directed threats, coercion, and intimidation.23 Commerce's intention is to make certain that all such relevant de facto scenarios are captured and considered in Commerce's separate rate *de facto* analysis.

SECTION V: INSTRUCTIONS FOR FILING THE APPLICATION

The following instructions apply to all documents the Applicant submits to Commerce during this proceeding.

Note: Please label the electronic files that the Applicant uploads in a manner indicating their specific contents. For example, ABC Ltd March 15 SRA – Exhibits 10-15, rather than ABC Ltd March 15 SRA – part 3. If possible, please do not split exhibits between electronic files.

A. Due Date

1. All submissions must be made electronically using Commerce's ACCESS website at https://access.trade.gov, unless an exception applies. A handbook on how to use the U.S. Department of Commerce's (Commerce's) ACCESS system is available here: https://access.trade.gov/ACCESS%20Handbook%20on%20Electronic%20Filing%20Procedures_March2026.pdf. To determine if the Applicant's response qualifies for manual filing, see the section on "Manual Filing" below. All laws, regulations, and other descriptive materials that supplement the Applicant's responses should be submitted on the same date as the initial response.

2. The **business proprietary** response and the **public version** of the response should be submitted on the day specified on the cover page of this questionnaire, unless the Applicant is filing under the one-day lag rule, discussed in part E.2 below.

3. An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time (ET) on the due date, unless an earlier time is specified. Where applicable, a submitter must manually file a document between the hours of 8:30 a.m. and 5:00 p.m. ET on the due date, unless an earlier time is specified.

4. In order to file via Commerce's ACCESS filing system, the Applicant will need to create an account on the ACCESS portal. To do this, go to https://access.trade.gov and click on "E-Filer Registration" to register for an account. Step by step instructions can be found in the user guide, available here: https://access.trade.gov/ACCESS%20External%20User%20Guide%20April%2020%202026.pdf. After it is approved, the Applicant can log into ACCESS and click on "Manage Entry of Appearance," and on the next screen, click on "Create New Entry of Appearance."

5. If the Applicant has further questions, please contact the ACCESS help desk at access@trade.gov or (202) 482-3150.

B. Format

1. The Applicant is required to state in the upper right-hand corner of the Applicant's cover letter the following information in the following format:

a. on the first line, indicate the case number stated on the cover page to this questionnaire;

b. on the second line, indicate the total number of pages in the document including cover pages, appendices, and any unnumbered pages;

c. on the third line, indicate the specific segment of the proceeding, (*e.g.*, investigation, administrative review, scope inquiry, suspension agreement, etc.) and, if applicable, indicate the complete period covered (MM/DD/YY - MM/DD/YY);

d. on the fourth line, indicate Commerce office conducting the proceeding;

e. on the fifth and subsequent lines, indicate whether any portion of the document contains business proprietary information and, if so, list the page numbers containing business proprietary information; and indicate the business proprietary/public status of the document and whether the Applicant agrees or objects to release of the submitted information under administrative protective order (APO) by stating one of the following:

- "Business Proprietary Document -- May Be Released Under APO,"
- "Business Proprietary Document -- May Not Be Released Under APO,"
- "Business Proprietary/APO Version-- May Be Released Under APO," as applicable,
- "Public Version," or • "Public Document."

2. Please include a "Re:" line on the cover letter of the Applicant's response, or any other submissions the Applicant makes during this proceeding. In the Re: line, briefly summarize the purpose of the Applicant's submission, *e.g.*, "Response to Quantity & Value Questionnaire," "Case Brief," *etc.*

3. Prepare the Applicant's response in typed form and in English (*see* 19 CFR 351.303(d) and (e) for these and other formatting requirements). Include an original and translated version of all pertinent portions of non-English language documents that accompany the Applicant's response, including financial statements.

4. Repeat the question to which the Applicant is responding in the narrative submission and place the Applicant's answer directly below it.

5. Please respond to each question. If a particular question does not apply, please state so and explain why in the Applicant's response. Failure to do so could lead to the use of adverse inferences for that particular question.

6. In each of the Applicant's answers, please identify the Applicant's source of information. Please include copies of source documents necessary to understand the Applicant's response. For sources of additional information not included in the Applicant's response,

indicate the location where the documents or electronic data systems are maintained. If information is maintained at multiple locations, please list in an appendix to the Applicant's response these locations along with notes indicating the information maintained at each location. This information is used by Commerce to prepare for verification.

7. Include all worksheets, financial reports, and other requested documents as appendices to the Applicant's response.

8. Provide a table of attachments. Assign a number to each attachment and include a descriptive name for each attachment and its number in the table.

9. All monetary amounts should be shown in the currency in which they were originally denominated, and in the currency in which they are registered in the Applicant's accounts (if the two are different). Also, report the actual exchange rate used for a particular conversion. For all values adjusted for inflation, please provide the data in both nominal and adjusted terms and explain how these values were adjusted. Identify all units of measurement, currencies, and conversion factors used in the Applicant's narrative response, worksheets, or other appendices. For electronic databases submitted in antidumping proceedings, **the Applicant must complete Appendix VII**, which is a template providing a standard format for reporting the units of measurement, currencies, and conversion factors. Please complete a separate template for each database submitted (home market sales, U.S. sales, cost, *etc*.) and be sure to provide the requested data for each numerical field in the database. In addition, for antidumping proceedings, please refer to Appendix II (not included for countervailing duty (CVD) proceedings), which includes additional information for submitting databases.

10. It is the Applicant's responsibility to contact the official in charge if after the Applicant's filing there are events that affect the Applicant's response (*e.g.*, changes in the Applicant's cost accounting system are relevant to antidumping proceedings, and changes because of an audit are relevant to both antidumping and CVD proceedings).

C. Manual Filing

1. **All submissions must be filed electronically**. Only under the following circumstances will Commerce accept a hardcopy response that is manually filed:

- Documents exceeding 500 pages in length may be filed manually (in paper form) in the APO/Dockets Unit. This is referred to as a "bulky document." Data files greater than 50 MB may be filed in an alternative manner after consulting https://access.trade.gov/Announcement%20-%20Super_Bulky_Document_Submissions.pdf and contacting the ACCESS Help Desk at 202-482-3150.

- If the ACCESS system is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour between 12:00 p.m.

and 4:30 p.m. ET or for any duration of time between 4:31 p.m. and 5:00 p.m. ET, then a person may manually file the document in the APO/Dockets Unit. Commerce will provide notice of such technical failures on the ACCESS Help Desk line at 202-482-3150 and on the Enforcement & Compliance website, which is https://www.trade.gov/us-antidumping-and-countervailing-duties-home-page.

- Apart from the above, if the Applicant is unable to comply with the electronic filing requirement, as provided in 19 CFR 351.103(c), and in accordance with section 782(c) of the Tariff Act of 1930, as amended (the Act), the Applicant must promptly notify the official in charge and submit a full written explanation of the reasons the Applicant is unable to file the document electronically. The Applicant must also suggest alternative forms in which to submit the information. Commerce will consider the ability of a submitter and may modify the electronic filing requirement on a case-by-case basis.

2. All manually filed documents must be accompanied by a cover sheet generated in ACCESS. For manually filed bulky documents, separator sheets must also be generated and used.

3. If the Applicant's response qualifies as a bulky document and the Applicant opts to file it manually, the Applicant must file two identical paper copies of the document. For all other authorized manual submissions, only one paper copy is required.

4. Manual submissions must be addressed and submitted to:

Secretary of Commerce
Attention: Enforcement and Compliance, AD/CVD Operations
APO/Dockets Unit Room 18022
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

D. Certification

1. Submit the required **certification of accuracy**. Providers of information and the person(s) submitting it, if different (*e.g.*, a legal representative), must certify that they have read the submission and that the information submitted is accurate and complete. Commerce cannot accept questionnaire responses that do not contain the certification statements. Forms for such certification are included as appendices to this questionnaire. The Applicant may photocopy this form and submit a completed copy with each of the Applicant's submissions.

2. Provide the required certificate of service (included as an appendix) with each business proprietary document and public version submitted to Commerce.

3. Signed certifications of accuracy and certificates of service should be scanned and appended to the appropriate electronic documents filed in ACCESS.

E. Business Proprietary Information and Summarization of Business Proprietary Information

1. Request business proprietary treatment for information submitted that the Applicant does not wish to be made publicly available. Generally, Commerce places all correspondence and submissions received during an antidumping or countervailing duty proceeding in a public reading file. However, information deemed to be proprietary information will not be made available to the public. If the Applicant wishes to make a request for proprietary treatment for information, refer to sections 351.304, 351.305, and 351.306 of Commerce's regulations. The Applicant must submit the request for proprietary treatment at the same time as the claimed business proprietary information is submitted to Commerce.

2. Utilize the "one-day lag rule" under section 351.303(c)(2) of Commerce's regulations if the Applicant wishes an additional day to review the final bracketing of business proprietary information in a document and to prepare the required public version. The filing requirements under the one-day lag rule provide for a party to file only the business proprietary document within the applicable time limit (section 351.303(c)(2)(i)). By the close of business one business day after the date the business proprietary document is filed, the person must file the complete final business proprietary document (section 351.303(c)(2)(i)(ii)). The final business proprietary document must be identical to the original document except for any bracketing corrections.

3. By the close of business one business day after the date the business proprietary document is filed (refer to the "one-day lag rule" in the preceding paragraph), submit the public version of the Applicant's response (section 351.303(c)(2)(i)(iii)). A public version must contain:

   a. a non-proprietary (public) version of the Applicant's response that is in sufficient detail to permit a reasonable understanding of the information submitted in confidence, and/or
   b. an itemization of information that the Applicant believes it is unable to summarize. State the reasons why the Applicant cannot summarize each piece of information.

   Note: The summarization requirement does not apply solely to the narrative portion of the Applicant's response. It applies equally to worksheets and other appendices to the Applicant's response, and even to sales and cost databases submitted in antidumping proceedings. Generally, numerical data, such as that provided in sales and cost databases in antidumping proceedings, are adequately summarized only if grouped or presented in terms of indices or figures ranged within ten percent of the actual figure. If a particular portion of data is voluminous, the Applicant should use ranged figures for at least one percent of the voluminous portion.

Responses, or portions thereof, that are not adequately summarized may be rejected from the record of this proceeding.

4. Submit the statements required regarding limited release of business proprietary information under the provisions of an APO. U.S. law permits limited disclosure to representatives of parties (*e.g.*, legal counsel) of certain business proprietary information, including electronic business proprietary information, under an APO. Please note that data received under an APO cannot be shared with others who are not covered by the APO. Under the provisions governing APO disclosure, the Applicant must submit either:

   a. a statement agreeing to permit the release under APO of information submitted by the Applicant in confidence during the proceeding, or

   b. a statement itemizing those portions of the information which the Applicant believes should not be released under APO, together with arguments supporting the Applicant's objections to that release. We are required by our regulations to reject, at the time of filing, submissions of business proprietary information that do not contain one of these statements. As discussed above, the Applicant must state in the upper right-hand corner of the cover letter accompanying the Applicant's questionnaire response whether the Applicant agrees or objects to release of the submitted information under APO (*e.g.*, May Be Released Under APO or May Not Be Released Under APO). Please refer to 19 CFR 351.304 for specific instructions.[22]

5. Place brackets ("[ ]") around information for which the Applicant requests business proprietary treatment. Place double brackets ("[[ ]]") around information for which the Applicant requests proprietary treatment and which the Applicant does not agree to release under APO.[23]

6. Provide all parties whose representatives have been granted APO access and who are listed on Commerce's most recent APO Service List, with a complete copy of the submission – proprietary document and public version, except for that information which the Applicant does not agree to release under APO. (APO service lists, as well as public service lists, are regularly updated and maintained as record documents in ACCESS at https://access.trade.gov). If the Applicant excludes information because the Applicant does not agree to release it under APO, the Applicant must submit the complete business proprietary version, wherein information in double brackets has been excluded. This version of the response must be marked "Business Proprietary/APO Version – May Be

[22] If the Applicant does not agree to release under APO all or part of the proprietary information, but we determine that the information should be released, the Applicant will have the opportunity to withdraw the information (see section 351.304(d) of our regulations). However, any information which the Applicant withdraws will be taken out of the official record and will not be used in our determination.

[23] Commerce will not disclose proprietary customer names under APO during an antidumping or countervailing duty investigation until either an order is published, or the investigation is suspended. To ensure that proprietary customer names are properly treated in this case, the Applicant should place double brackets ("[[ ]]") around all proprietary customer names in the Applicant's submissions to Commerce during this investigation.

Released Under APO" on the cover page. For parties that do not have access to information under APO, please provide a public version only.

Note: A chart summarizing AD/CVD document filing requirements can be found at https://access.trade.gov/Document_Filing_Requirements_for_Website.pdf. ACCESS filing instructions are https://access.trade.gov/ACCESS%20Handbook%20on%20Electronic%20Filing%20Procedures_March2026.pdf. Detailed and supplemental information concerning APOs, including the APO Handbook, a complete set of APO regulations, and APO application forms and service lists, can be found at https://www.trade.gov/administrative-protective-orders.

Appendix A

General Certifications

The application must be accompanied by the service and factual information certifications required under Commerce's regulations at 19 CFR 351.303(f)(2) and (g). **The following three certifications must accompany the Applicant's separate rate application to be considered a complete application.**

(To be signed by the company official of the applying firm who is officially responsible for presentations made to the U.S Department of Commerce.)

****

CERTIFICATE OF SERVICE

I, _____, hereby certify that a copy of the
(name of certifying official)

foregoing submission on behalf of _____,
(company name)

dated _____, was served _____ (state the method of service used, *e.g.*, via ACCESS, by secure electronic transmission, by first class mail, by email, or by hand delivery) on the following parties:

(Business Proprietary Version) On Behalf of

Name and address:

(Public Version) On Behalf of Name and address:

_____
(signature of certifying official)

****

****

COMPANY CERTIFICATION

I, (**PRINTED NAME AND TITLE**), currently employed by (**COMPANY NAME**), certify that I prepared or otherwise supervised the preparation of the attached submission of (**IDENTIFY THE SPECIFIC SUBMISSION BY TITLE**) **due on (DATE) OR filed on** (**DATE**) pursuant to the (I**NSERT ONE OF THE FOLLOWING OPTIONS IN { }: {THE (ANTIDUMPING OR COUNTERVAILING) DUTY INVESTIGATION OF (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (DATES OF PERIOD OF REVIEW) (ADMINISTRATIVE OR NEW SHIPPER) REVIEW UNDER THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (SUNSET REVIEW OR CHANGED CIRCUMSTANCE REVIEW OR SCOPE RULING OR CIRCUMVENTION INQUIRY) OF THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)**. I certify that the public information and any business proprietary information of (**CERTIFIER'S COMPANY NAME**) contained in this submission is accurate and complete to the best of my knowledge. I am aware that the information contained in this submission may be subject to verification or corroboration (as appropriate) by the U.S. Department of Commerce. I am also aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

Signature: _____ Date: _____

(Note: For multiple person certifications, all persons should be listed in the first sentence of the certification, and all persons should sign and date the certification. In addition, singular pronouns and possessive adjectives should be changed accordingly, *e.g.*, "I" should be changed to "we" and "my knowledge" should be changed to "our knowledge.")

****

****

REPRESENTATIVE CERTIFICATION

I, (**PRINTED NAME**), with (**LAW FIRM or OTHER FIRM**), (**INSERT ONE OF THE FOLLOWING OPTIONS IN { }: {COUNSEL TO} or {REPRESENTATIVE OF}) (COMPANY NAME, OR GOVERNMENT OF COUNTRY, OR NAME OF ANOTHER PARTY**), certify that I have read the attached submission of (**IDENTIFY THE SPECIFIC SUBMISSION BY TITLE**) **due on (DATE) OR filed on (DATE**) pursuant to the (**INSERT ONE OF THE FOLLOWING OPTIONS IN { }: {THE (ANTIDUMPING OR COUNTERVAILING DUTY) INVESTIGATION OF (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (DATES OF PERIOD OF REVIEW) (ADMINISTRATIVE OR NEW SHIPPER) REVIEW UNDER THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (SUNSET REVIEW OR CHANGED CIRCUMSTANCE REVIEW OR SCOPE RULING OR CIRCUMVENTION INQUIRY) OF THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)}**). In my capacity as (**INSERT ONE OF THE FOLLOWING OPTIONS IN { }: {COUNSEL} or {ADVISER, PREPARER, OR REVIEWER}**) of this submission, I certify that the information contained in this submission is accurate and complete to the best of my knowledge. I am aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

Signature: _____ Date: _____

(Note: For multiple person certifications, all persons should be listed in the first sentence of the certification and all persons should sign and date the certification. In addition, singular pronouns and possessive adjectives should be changed accordingly, *e.g.*, "I" should be changed to "we" and "my knowledge" should be changed to "our knowledge."

****

Appendix B

Appendix B must be completed by all companies for whom it is not possible to submit completely legible unaltered photocopies of all the supporting documentation required in the application. This appendix applies both to companies that are not able to submit all the required supporting documentation, and to those who are not able to submit completely legible photocopies thereof. To complete this section, the Applicant must make the certification below and provide an explanation of why the submission of completely legible copies of all the required supporting documentation is not possible.

****

I, _____certify that I am not able to submit completely legible photocopies of the following documents _____that are requested in the fields _____. I certify that I have made the maximum effort to obtain and submit the most complete and legible photocopies possible, and that I am submitting with the application the most legible photocopies of the documents possible. For this/these reason(s), I cannot supply completely legible photocopies of all the required are (supply an explanation for each document that is missing or not completely legible):

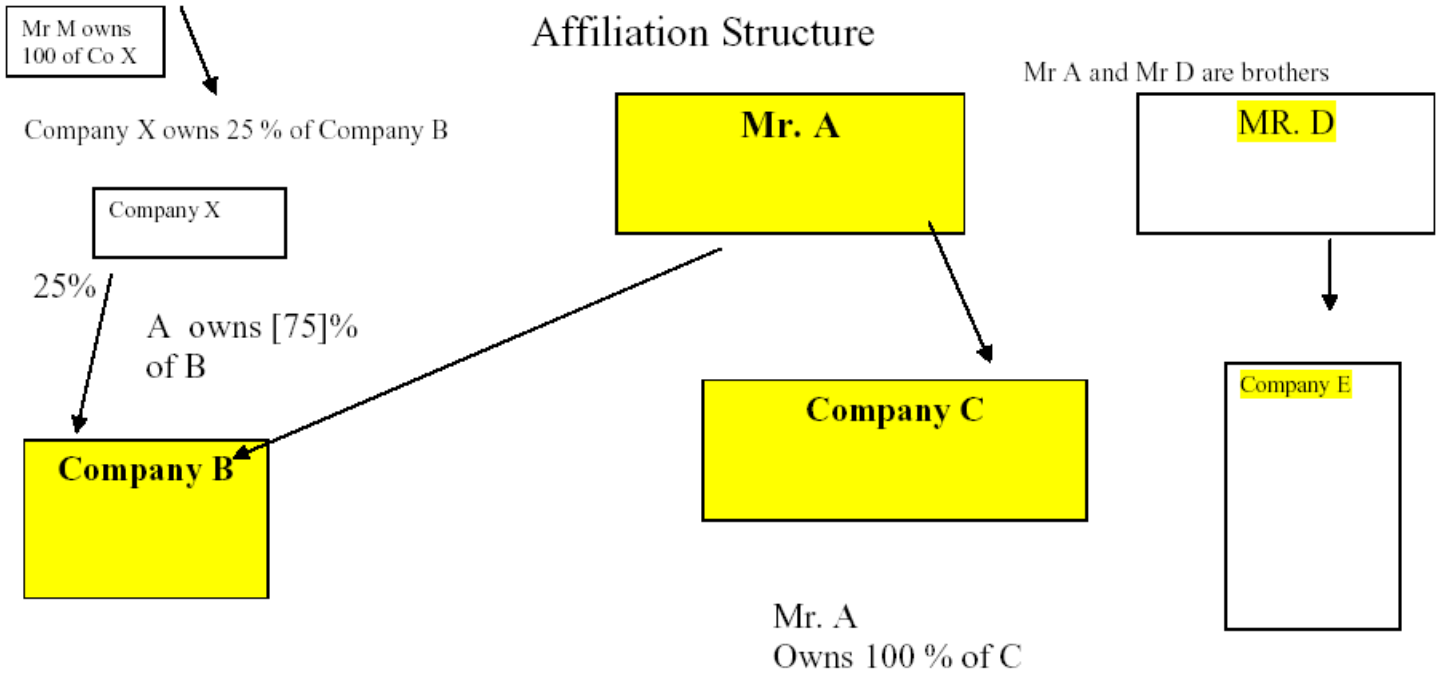
_____
_____
_____
_____
_____

I have therefore, in place of these photocopies, provided the following documents to reflect or explain what is contained in the documents that are missing or not completely legible:

_____
(list documents)

****

Appendix C


Affiliation Structure
Mr M owns 100 of Co X
Company X owns 25 % of Company B
Company X
25%
A owns [75]% of B
Company B
Mr. A
Company C
Mr. A
Owns 100 % of C
Mr A and Mr D are brothers
MR. D
Company E