

Slip Op. 24-25

UNITED STATES COURT OF INTERNATIONAL TRADE

RISEN ENERGY, CO., LTD.,

Plaintiff,

JA Solar Technology Yangzhou Co., Ltd., *ET AL.*,

Consolidated Plaintiffs,

v.

UNITED STATES,

Defendant.

Before: Jane A. Restani, Judge

Consol. Court No. 22-00231

JUDGMENT

[Commerce’s Final Results in the Eighth Administrative Review of Commerce’s countervailing duty order on crystalline silicon photovoltaic cells from the People’s Republic of China are affirmed.]

Dated: February 29, 2024

Gregory S. Menegaz and Alexandra H. Salzman, deKieffer & Horgan, PLLC, of Washington, DC, for Plaintiff. With them on the brief was James K. Horgan.

Jeffrey S. Grimson, Mowry & Grimson, PLLC, of Washington, DC, for Consolidated Plaintiffs. With him on the brief were Sarah M. Wyss, and Yixin (Cleo) Li.

Kelly M. Geddes, Commercial Litigation Branch, U.S. Department of Justice, of Washington, DC, for Defendant. With her on the brief were Brian M. Boynton, Principal Deputy Assistant Attorney General, Patricia M. McCarthy, Director, and Reginald T. Blades, Jr., Assistant Director. Of counsel on the brief was Spencer Neff, Office of Chief Counsel for Trade Enforcement & Compliance, U.S. Department of Commerce, of Washington, DC.

This matter is before the court following the filing of the results of the first remand order.

See Final Results of Redetermination Pursuant to Court Remand Order, ECF No. 53 (Jan. 9, 2024)

(“Remand Results”); see also Risen Energy Co. v. United States, 658 F. Supp. 3d 1364 (CIT 2023).

All parties were given the opportunity to comment on these results, but only consolidated plaintiffs

JA Solar (Xingtai) Co., Ltd., JA Solar Co., Ltd., JA Solar Technology Yangzhou Co., Ltd., and Shanghai JA Solar Technology Co., Ltd. (collectively, “JA Solar”) did so. See Comments in Support of Final Results of Redetermination Pursuant to Court Remand on Behalf of Consolidated Plaintiffs and Plaintiff-Intervenors JA Solar Technology Yangzhou Co., Ltd., Shanghai JA Solar Technology Co., Ltd., JA Solar Co., Ltd. (A.K.A Jingao Solar Co., Ltd.) and JA Solar (Xingtai) Co., Ltd., ECF No. 56 (Feb. 8, 2024). In its comments, JA Solar supported the U.S. Department of Commerce’s (“Commerce”) Remand Results. Id. at 2. Reviewing the Remand Results, the court finds that Commerce complied with its opinion. The court notes Commerce’s voluntary decision not to attempt verification in this case. See Remand Results at 5–6. The court’s opinion did not require that Commerce forego verification, but merely cautioned Commerce against any verification efforts that would “overly burden voluntary participants.” Risen Energy, 658 F. Supp. 3d at 1372. Nonetheless, the Remand Results comply with the court’s order. Accordingly, it is

ORDERED, ADJUDGED, and DECREED that the Remand Results by Commerce are **SUSTAINED**.

/s/ Jane A. Restani
Jane A. Restani, Judge

Dated: February 29, 2024
New York, New York