

EXPIRY REVIEW QUESTIONNAIRE – IMPORTER

Information requested under
the *Special Import Measures Act* and
the *Canadian International Trade Tribunal Act* respecting

CERTAIN HOT-ROLLED STEEL PLATE ORIGINATING IN OR EXPORTED FROM BULGARIA, THE CZECH REPUBLIC AND ROMANIA

PURPOSE

The Canada Border Services Agency (CBSA) and the Canadian International Trade Tribunal (Tribunal) require information for the Tribunal's Expiry Review No. RR-2008-002.

***DUE DATE FOR
RESPONSE***

Your complete response to this questionnaire must be received at the CBSA's office in Ottawa, Ontario, by **May 30, 2008**.

***RETURN YOUR
RESPONSE TO***

Canada Border Services Agency
Anti-dumping and Countervailing Program
SIMA Registry and Disclosure Unit
11th Floor, 100 Metcalfe Street
Ottawa, Ontario
K1A 0L8

Facsimile 613-948-4844
E-mail simaregistry@cbsa-asfc.gc.ca

Attention: Joël Joyal

***FOR FURTHER
INFORMATION***

Contact the following CBSA officers:

Joël Joyal 613-954-7173
Michel Leclair 613-954-7232

IMPORTANT NOTE: Information provided by your firm is deemed to be public unless clearly marked confidential. See Items 4 and 5 of the Instructions and Part D of this questionnaire for further information.

Note: Any word, term, or phrase explained in the Glossary (**Part C**) of this Expiry Review Questionnaire (ERQ) appears in ***bold and italicized*** letters the first time it is used.

Product Definition

For purposes of this expiry review, the goods “certain hot-rolled steel plate” are defined as:

“Hot-rolled carbon steel plate and high-strength low-alloy steel plate not further manufactured than hot-rolled, heat-treated or not, in cut lengths in widths from 24 inches (+/- 610 mm) to 152 inches (+/- 3,860 mm) inclusive and in thicknesses from 0.187 inches (+/- 4.75 mm) to 4 inches (+/- 1101.6 mm) inclusive, originating in or exported from the Republic of Bulgaria, the Czech Republic and Romania, excluding plate produced to *American Society for Testing & Materials* (ASTM) specifications A515 and A516M/A516 Grade 70 in thickness greater than 3.125 inches (+/- 79.3 mm), universal mill plate, plate for use in the manufacture of pipe and plate having a rolled, raised figure at regular intervals on the surface (also known as floor plate).”

Additional Product Information

Certain hot-rolled steel plate is manufactured to meet certain Canadian Standards Association (CSA) and/or American Society for Testing and Materials (ASTM) specifications or equivalent specifications.

ASTM standards, such as A6/A6M and A20/A20M, recognize permissible variations for dimensions.

It should be noted that the metric equivalent dimensions in the definition of the goods are rounded numbers as indicated by the “+/-” symbols.

The goods subject to this expiry review are normally imported into Canada under the following harmonized system classification numbers:

7208.51.91.10	7208.51.99.10	7208.52.90.10
7208.51.91.91	7208.51.99.91	7208.52.90.91
7208.51.91.92	7208.51.99.92	7208.52.90.92
7208.51.91.93	7208.51.99.93	7208.52.90.93
7208.51.91.94	7208.51.99.94	7208.52.90.94
7208.51.91.95	7208.51.99.95	7208.52.90.95

NOTE: You should report your imports of these goods for **each subject country and non-subject** from which you imported these goods during the period of review.

This expiry review covers the Tribunal finding in Inquiry No. NQ-2003-002 made on January 9, 2004.

Product Breakout

Certain information is requested with regards to:

Discrete plate: Plate that is cut to length at the hot-rolling mill, i.e. that has not been coiled.

Plate cut-to-length from coil: Plate that is cut to length, by your firm or for your firm under a tolling arrangement, from a coil produced in or imported into Canada.

Units of Volume

All responses to volume-related questions in this questionnaire should be expressed in metric tonnes (tonnes). One tonne (1,000 kg) equals to 2,204.6 lbs.

Period of Review (POR)

The CBSA's POR covers the period from **January 1, 2005 to March 31, 2008 inclusive**. As part of the expiry review, you are requested to provide information for the years 2005, 2006 and 2007 and for the first quarter of 2008 (January 1 to March 31).

In the event that the CBSA determines that the expiry of the finding is likely to result in the continuation or resumption of dumping of certain hot-rolled steel plate, you will be **required to update your response** for Appendices 1 to 6 of **Part B** by completing the column covering the first 6 months (January 1 to June 30) of 2008 (and the comparative period for 2007). **The updated data should be sent to the Tribunal no later than September 4, 2008**, at the following address:

Secretary
Canadian International Trade Tribunal
Standard Life Centre
15th Floor, 333 Laurier Avenue West
Ottawa, Ontario
K1A 0G7
Telephone 613-993-3595
Facsimile 613-990-2439
E-mail secretary@citt-tcce.gc.ca

INSTRUCTIONS

Purpose of the Questionnaire

1. This questionnaire specifies the information and documents required from your firm for the Tribunal's Expiry Review No. RR-2008-002 under section 76.03 of the *Special Import Measures Act* (SIMA) of the Tribunal's finding made on January 9, 2004, in Inquiry No. NQ-2003-002 concerning certain hot-rolled steel plate.

This information will be used by the CBSA to determine whether or not the expiry of the finding concerning certain hot-rolled steel plate is likely to result in the continuation or resumption of dumping. Please contact the CBSA officers indicated on the cover page of this questionnaire if you have any questions respecting the CBSA's determination of the likelihood of continued or resumed dumping.

If the CBSA determines that continued or resumed dumping is unlikely, Tribunal will rescind the finding in respect of the goods and the measures will expire on January 8, 2009. However, if the CBSA determines that continued or resumed dumping is likely, the review will continue and the information will also be used by the Tribunal to determine if the expiry of the finding is likely to result in injury or retardation to the domestic industry. If the Tribunal determines that injury or retardation to the domestic industry is unlikely, the finding will be rescinded. If the Tribunal determines that injury or retardation is likely, the finding will be continued for a further period of not more than five years.

Please contact the following Tribunal staff if you have any questions respecting the Tribunal expiry review concerning the likelihood of injury or retardation:

Dominique Laporte	613-993-5099
Gabrielle Nadeau	613-990-8141
Facsimile	613-990-2439

Due Dates for Responses

2. Your response to this questionnaire must be received by the CBSA at the address and by the due date specified on the cover page of this questionnaire. Please note that your response will not be considered complete unless it includes both a confidential and non-confidential (public) version. The non-confidential version should be prepared in accordance with the guidelines set out in **Part D** of this questionnaire. If these requirements are not met, your submission will be returned to you and your information will not be used in this expiry review. If you require additional information or clarification respecting the questions in this questionnaire, please contact one of the CBSA officers listed on the cover page.

If the CBSA determines that continued or resumed dumping is likely, you will be notified by the CBSA. You will then be required to update your reply for the Appendices in **Part B** by completing the column covering the first 6 months (January 1 to June 30) of 2008 (and the comparative period for 2007). Your responses must be sent to the following address and be received no later than **September 4, 2008**.

Secretary
Canadian International Trade Tribunal
Standard Life Centre
15th Floor, 333 Laurier Avenue West
Ottawa, Ontario
K1A 0G7
Telephone 613-993-3595
Facsimile 613-990-2439
E-mail secretary@citt-tcce.gc.ca

Information Submitted to the CBSA and Provided to the Tribunal

3. The information collected by the CBSA during this phase of the expiry review will be provided to the Tribunal if it is determined that the expiry of the finding is likely to result in the continuation or resumption of dumping. This will avoid the requirement for importers to submit the same information to both the CBSA and the Tribunal. The Tribunal will use this information in its inquiry to determine if there is a likelihood of injury or retardation to the domestic industry. Therefore it is in your interest to comply with the request for information and ensure that your response to this questionnaire is accurate, complete and returned on time.

Your company may be contacted by officials of the Tribunal at a later date to discuss your response to this questionnaire. The Tribunal may request additional information from your company at that time. In conducting the review, the Tribunal is required to gather the best possible evidence. In order to obtain such evidence, the Tribunal can, where necessary, subpoena witnesses and require the production of documents.

4. Confidential information filed with the Tribunal by the President of the CBSA will be treated in accordance with sections 43 to 49 of the *Canadian International Trade Tribunal Act*. These sections require that the confidential information shall not be made public in such a manner as to be available for the use of any business competitor or rival of any person to whose business or affairs the information relates. Any person who discloses confidential information without the authorization of the Tribunal may be subject to prosecution pursuant to subsections 45 (6) and (7) of the *Canadian International Trade Tribunal Act*.

If you have any questions respecting the Tribunal's inquiry to determine whether the expiry of the finding is likely to result in injury or retardation to the domestic industry, please contact the Tribunal staff named above.

Confidential and Non-Confidential Submissions

5. **Part D** of the questionnaire describes the treatment of confidential and non-confidential information submitted to the CBSA in connection with proceedings under SIMA.

It should be noted that confidential information submitted to the CBSA in this review will be disclosed to independent counsel for other parties in this review on request. **Part D.1** outlines the instances where the CBSA will disclose confidential information submitted by parties. As well, if your company submits confidential information to the CBSA and the requirements outlined in **Part D.2** are not fulfilled, your information cannot be used in this review.

You are advised to review **Part D** for additional information respecting the CBSA's treatment of confidential and non-confidential information.

Number of Copies Required and Format of Information Submitted

6. Your response must consist of an original plus two (2) printed photocopy-ready copies of your confidential version, and an original plus one (1) printed, photocopy-ready copy of your edited non-confidential version of your response.

The original confidential and non-confidential copies must include all appendices as described in this ERQ, with the provision that **large spreadsheets may be provided in electronic format only**, subject to the required number of copies of electronic files. **A submission without a non-confidential version or the required copies is considered an incomplete response.** In addition, a complete copy of your submission must be maintained at your company's premises should an on-site verification of your submission be conducted.

The additional two (2) printed, photocopy-ready, confidential copies and the one (1) printed, photocopy-ready, non-confidential copy can consist of only a cover page for each Appendix, indicating that a hard copy of the appendix has been included with the original copy.

7. Please submit two (2) copies of your confidential response and two (2) copies of your non-confidential response in electronic format. Please affix labels to all compact discs and diskettes, describing the contents and indicating whether the material is confidential or non-confidential. All diskettes must be checked for computer viruses and certified that they are virus free before forwarding to the CBSA.

The narrative part of your responses to all of the questions in this questionnaire must be provided in a word processing software that is compatible with Microsoft Word. Any spreadsheets provided must be compatible with Microsoft Excel. Files may be submitted in a compressed format using WinZip 8.1 or compatible. We are not able to access RAR compressed files at this time. If you send us information in a compressed format, provide a list of all of the electronic files you are submitting. Include the file name, file type, number of records and the ERQ request number that the file answers. Information submitted in this manner is in addition to the information provided in a printed format and does not replace the requirements for the submission in printed format.

Note: If the requirements outlined in this section will create an excessive burden on your company, contact one of the CBSA officers on the covering page of the questionnaire to discuss possible alternatives.

8. Replies to questions should be as specific as possible and clearly reflect the existing situation. It is essential to submit a complete and detailed response to each question. Where a question does not apply to your company, an appropriate explanation must be given as to why it does not apply. Note that in many instances, "Not Applicable" or an answer that only refers to an exhibit or an attachment will not provide the CBSA with a clear explanation of the existing situation and will be considered an incomplete response.
9. When responding, the relevant question must be copied from the questionnaire and then followed by the full response to the question. Your submission must be in a word processor format and you must quote all monetary information, such as costs, charges, prices, etc., in the currency in which they occur with the relevant currency clearly identified. Further, it is the preference of the CBSA that your submission be prepared as follows:
 - Be single-sided only and should not be stapled or bound (pages should be held together by clips or elastics);
 - Be numbered consecutively from start to finish, including appendices and attachments;
 - Be provided on 8 1/2" x 11" or A4 paper. If possible, please reduce any oversize documents to fit this paper size.

Note: If you wish to obtain an electronic copy of this questionnaire, please contact one of the CBSA officers indicated on the cover page.

10. Your response to this questionnaire must be in either English or French. Any source material that you provide with your response must be in the document's original language and must be accompanied by a translation in either English or French. Failure to comply with this instruction may preclude the CBSA from considering your information.
11. Except where otherwise noted, all information is requested on a fiscal year basis. Where adjustments are required to comply with our request, please identify the adjustments and give a full explanation of how they were made

Establishing Contact with the CBSA

12. You are requested to contact one of the CBSA officers indicated on the cover page of this questionnaire by telephone, by fax or by e-mail, within a week following the receipt of this request to indicate who your firm's contact person will be for this matter and to indicate whether your firm intends to cooperate and provide the full information required by this questionnaire. If applicable, indicate the name and telephone number of the counsel that will be representing your firm during this review. At the same time, you are encouraged to raise any questions you may have and seek any explanations necessary to assist you in completing your response.

Verification Meetings

13. CBSA officers may meet with importers of the subject goods in order to verify the information submitted. If the CBSA intends to verify your company's submission, you will be contacted in advance of such a meeting to make arrangements as to the time and place of the verification meeting. At that time, you will be provided with additional information regarding the CBSA's requirements during the meeting. Officers may wish to visit any location which has relevant data, such as your head office or sales office, production facility or factory, warehouses and any other location considered necessary by the CBSA.

Counsel

14. If your company has retained counsel to represent you in this matter before the CBSA, a letter of authorization must be provided. When such letter of authorization is provided, the CBSA will, upon request, provide copies of all outgoing correspondence with your firm to your counsel. Furthermore, if it is your wish that confidential materials relating to your company be released to or discussed with your counsel, the letter should specifically authorize the CBSA to do so. In such circumstances, the letter of authorization will serve as the CBSA's authority to release confidential materials to your counsel or to discuss the particulars of your file. Please note that the CBSA will not discuss the particulars of your file or provide copies of any materials contained in the file to your counsel unless a letter of authorization has been provided.

Please be advised that confidential information submitted by other parties to the proceedings will only be disclosed to counsel. Therefore, should your firm wish to retain counsel, you are advised to provide a letter of authorization to the CBSA as soon as possible so that your counsel will have access to confidential information at the earliest opportunity available.

PART A

General Information

The information requested in this part relates to your company's corporate organization, associates, products and product pricing.

If the information requested is not readily available from your records in the exact form requested, please furnish the prepared estimates, with a full explanation of the methodology used to prepare these estimates.

Necessary comments or explanations should be made in the space available or on separate sheets, and attached to the questionnaire.

- A1.** Provide your company's complete name, mailing address, e-mail and Web site address, telephone and fax numbers. In addition, identify the name and position of the officer in your company responsible for your response to the questionnaire.
- A2.** Describe the nature of your company's business and provide a brief history of your firm, with particular emphasis on the importation, marketing and distribution of certain hot-rolled steel plate, as defined on page two of this questionnaire. The history, among other things, should cover the date of incorporation, corporate structure, and the date that the goods were first imported.
- A3.** Indicate the *trade level*, such as producer, national distributor, distributor, service centre, retailer or end-user, at which your firm operates in Canada.
- A4.** If your company is a subsidiary of another company, indicate the name and address of your parent company and the extent of ownership in your company.
- A5.** Provide a list of the names and addresses of all *associated companies*. Clearly indicate the relationship between your company and its associates, and the percentage of ownership held by your company and/or its associates.
- A6.** Identify any associated company listed in response to question A5 that is involved in the production, export, import, or purchase of certain hot-rolled steel plate in Canada or elsewhere, and explain the nature of the business performed and the responsibilities or functions carried out by each associated company in respect of the goods.
- A7.** Provide a list of all product lines imported by your company (i.e. both certain hot-rolled steel plate and other products).
- A8.** Has your firm changed the product mix (e.g. quality, sizes, etc.) of certain hot-rolled steel plate that it imports or purchases from domestic producers during the POR? If yes, please explain.

- A9.** (a) Provide copies of any price lists, price schedules, base price lists etc., relative to your sales of certain hot-rolled steel plate during the POR. If the price lists cover other products, clearly identify on the price lists which products are the goods matching the product definition. Explain any product codes or other codes appearing on these documents so as to permit a full understanding by the CBSA.
- (b) If you do not have price lists, please provide (on a quarterly basis) price quotes/offers for certain hot-rolled steel plate, that were imported and sold by your company during the POR.
- (c) Provide details of any terms, discounts, allowances or other considerations which have the effect of reducing the prices appearing on the price lists. If discount lists were used, provide copies of those in effect during the POR.
- (d) If discount lists were used, indicate the percentage of the total volume of sales of certain hot-rolled steel plate which were made at the discount levels offered by your company during each year of the POR.
- A10.** Describe your methods of market promotion (i.e. how you encourage sales) for certain hot-rolled steel plate. If these methods have changed during the POR, please elaborate. Explain any differences between these methods for imported goods and domestically produced goods.
- A11.** Describe your channels of distribution for certain hot-rolled steel plate. If these channels have changed during the POR, please elaborate. Explain any differences between the channels of distribution for domestically produced goods and imported goods.
- A12.** Provide a photocopy ready copy of your latest product brochures, most recent annual report, corporate publications, or any other such general literature concerning your company and its associates and products sold or manufactured. As well, please provide descriptive product literature for certain hot-rolled steel plate imported by your firm.

REMINDER:

If you have designated any information confidential, a non-confidential version of that information must accompany your response to this questionnaire. See Part D for further details in this regard.

PART B

This section requests information respecting your purchases of certain hot-rolled steel plate from foreign and domestic suppliers, sales in the Canadian market, inventory levels, and prices for the goods. Information is also requested respecting the Canadian and world market for certain hot-rolled steel plate.

If the information requested is not readily available from your records in the exact form requested, please furnish the prepared estimates, with a full explanation of the methodology used to prepare these estimates.

Necessary comments or explanations should be made in the space available or on separate sheets, and attached to the questionnaire.

- B1.** Indicate the types of certain hot-rolled steel plate imported by your firm in 2007 as shown in Appendix 1. Indicate the source of those imports and the approximate percentage of your sales volumes of the goods.
- B2.** Report your imports of certain hot-rolled steel plate as shown in Appendix 2. Report only those imports for which you were the importer of record for Customs purposes. Please make additional copies of the appendix and complete one appendix for each country/supplier from which you imported the goods.
- B3.** Has your company received any price quotes from foreign producers/exporters for certain hot-rolled steel plate during the last year? If so, provide a copy of each price quote and indicate the producer/exporter of the goods, product, quantity, price, and period during which the price was in effect.
- B4.** Please provide:
 - (a) the names and addresses of all exporters from whom your company imported certain hot-rolled steel plate during the POR, and
 - (b) if an exporter is not the producer, the name and address of the firm that produced the goods.
- B5.** Report your purchases of certain hot-rolled steel plate from Canadian producers as shown in Appendix 3. If you have not sourced the goods from Canadian producers, please explain why.
- B6.** Indicate the major factors which influence your purchasing decision to source certain hot-rolled steel plate from each of your foreign supplier/producers and each domestic supplier/producer. Examples of such factors are price, quality, range of product, availability, delivery time, terms of sale, relationship with the producer/exporter, etc.

- B7.** Report your sales of certain hot-rolled steel plate as shown in Appendix 4. For sales from imports, please complete one schedule for each country from which you imported the goods. **Note: If your company is an end-user of the goods, and does not re-sell the goods, do not answer this question.**
- B8.** Report the regional volumes and values of your sales of certain hot-rolled steel plate as identified in Appendix 5.
- B9.** Report your volumes and values of finished inventories of certain hot-rolled steel plate, purchased from domestic sources or imported, for the dates identified in Appendix 6.
- B10.** Describe the method used to value the above inventories. Explain any changes in the method of valuation over the periods shown in the above response. Explain any major write-downs of inventory over the period.
- B11.** Provide details of any inter-company transactions involving certain hot-rolled steel plate during the POR between your company and any associated companies identified in your response to question A5. Please include the volume and value of the transactions and an explanation of the method of determining the transfer prices.
- B12.** Provide a list of your top ten Canadian accounts for certain hot-rolled steel plate in 2007. Please indicate the company name, mailing address, telephone and facsimile numbers.
- B13.** (a) Describe the current state of the Canadian market for certain hot-rolled steel plate with respect to sales volumes, prices and demand. Make reference to documents (and provide copies) regarding studies or articles in trade journals that provide a description of the current state of the Canadian market for the goods.
- (b) Provide your views on any trends or developments in respect of the Canadian market for certain hot-rolled steel plate during the POR.
- (c) Describe your current and planned activities in the Canadian market for certain hot-rolled steel plate.
- (d) Provide a listing of any contracts/purchase orders/standing orders regarding your planned future activities in the Canadian market.
- B14.** (a) Describe the current state of the world market for certain hot-rolled steel plate with respect to sales volumes, prices and demand. Make reference to documents (and provide copies) regarding studies or articles in trade journals that provide a description of the current state of the world market for the goods.

- (b) Provide your views on any trends or developments in respect of the world market for certain hot-rolled steel plate during the POR.
 - (c) Please describe your current and planned activities in the world market for certain hot-rolled steel plate.
 - (d) Provide a listing of any contracts/purchase orders/standing orders regarding your planned future activities in the world market.
- B15.** (a) Identify the principal factors affecting the demand and prices for certain hot-rolled steel plate from the countries which are subject to the finding during the POR.
- (b) Identify the principal factors affecting demand and prices for certain hot-rolled steel plate from non-subject countries during the POR.
- B16.** Provide copies of any documentation respecting your sales forecasts, including any business plans and demand forecasts for the Canadian market for certain hot-rolled steel plate. Provide a detailed explanation of how these plans and forecasts were derived.
- B17.** Provide any other information or documentation which in your opinion is relevant to this proceeding which you wish to have taken into consideration by the President of the CBSA. In your response to this question you are encouraged to submit any other information which you believe supports your position with respect to the likelihood of continued or resumed dumping if the finding expires.

REMINDER: If you have designated any information confidential, a non-confidential version of that information must accompany your response to this questionnaire. See Part D for more information.

PART C

Glossary

The following definitions may assist you in responding to this questionnaire:

Associated Persons and/or Companies: Persons or companies that are related to each other or do not deal with each other at arm's length. For example, individuals related by blood, marriage or adoption or companies that are directly or indirectly controlled by the same person or by the same company. See "related".

Delivery Costs: The average delivery costs (freight, handling and insurance), whether included in the purchase price or incurred separately by the purchaser, expressed as a percentage of the net delivered value.

Net Delivered Value:

- (a) For **imports**, the net-delivered value is the laid-in cost, including all import costs such as customs and other duties, brokerage fees and delivery costs (freight, handling and insurance) to your warehouse. This value should be stated in Canadian dollars.
- (b) For **purchases from Canadian producers**, the net-delivered value is the laid-in cost, net of cash, quantity or deferred discounts, allowances and taxes. Laid-in cost includes delivery costs (freight, handling and insurance) to your warehouse. This value is to be stated in Canadian dollars.
- (c) For **sales from imports**, the net delivered value is net of cash, quantity or deferred discounts, allowances and taxes. However, it includes delivery costs (freight, handling and insurance) paid by your firm and included in the selling price or an estimate of the delivery costs incurred by the purchaser when the goods are purchased on an FOB basis. This value should be stated in Canadian dollars.
- (d) For **sales from domestic purchases**, the net delivered value is net of cash, quantity or deferred discounts, allowances and taxes. However, it includes delivery costs (freight, handling and insurance) paid by your firm and included in the selling price or an estimate of the delivery costs incurred by the purchaser when the goods are purchased on an FOB basis. This value should be stated in Canadian dollars.

Period of Review (POR): The POR is defined on page 3 of this questionnaire.

Related: For the purposes of defining associated persons, persons are related if

- they are connected by blood relationship;
- one is an officer or director of the other;
- each such person is an officer or director of the same two corporations, associations, partnerships or other organizations;
- they are partners;
- one is the employer of the other;
- they directly or indirectly control or are controlled by the same person;
- one directly or indirectly controls or is controlled by the other;
- any other person directly or indirectly owns, holds or controls 5% or more of the outstanding voting stock or shares of each such person; or
- one directly or indirectly owns, holds or controls 5% or more of the outstanding voting stock or shares of the other.

Trade Level: The level which a company occupies in the distribution chain for a product. The predominant determining factor in establishing the trade level of an entity is the trade level to which that entity in turn sells the goods. The activities that the entity carries out may also help in distinguishing the trade level. Examples of typical trade levels are, producer, steel service centre, national distributor, regional distributor, wholesaler, retailer, end user, etc.

Units of Volume: All responses to volume-related questions in this questionnaire should be expressed in metric tonnes (tonnes). One tonne (1,000 kg) equals 2,204.6 lbs.

PART D

Treatment Of Confidential And Non-Confidential Information

Part D.1 – DIRECTIVES

Why Provide Confidential and Non-confidential Information?

SIMA requires that confidential information submitted to the CBSA be accompanied by a non-confidential (public) version of the information. The following explains how non-confidential and confidential information will be handled and how to prepare both a confidential and non-confidential submission of your information.

Treatment of Your Non-Confidential Information

Your non-confidential information will be given to any party that asks for this information for the purposes of the proceeding.

Treatment of Your Confidential Information

There are certain times when the CBSA will release your confidential information: first, to independent counsel for a party to the proceeding; and second, to Canadian courts, tribunals and panels.

1. Confidential information will be provided to independent counsel for a party to the proceeding. Counsel includes any *person* who represents another party in the proceeding and includes legal counsel. A party is a person, or business, that participates in and has a direct interest in the proceeding.

Counsel must ask for the confidential information in writing and must provide a written guarantee to the CBSA stating that they will:

only use the information in relation to this proceeding;
not give out the information;
protect the information;
not copy the information without the CBSA's permission;
destroy the information when they are done;
provide the CBSA with a written notice that the information is destroyed; and
report any violations or possible violations to the CBSA.

The CBSA will not give your confidential information to independent counsel if the CBSA believes that it might cause harm to you or your business.

2. Confidential information will be given to the Canadian International Trade Tribunal, any Court in Canada, a Bi-national or a World Trade Organization (WTO) Panel, to act on appeals. These organizations will use your information to fulfill their responsibilities under Canadian law, NAFTA or WTO Agreements. The confidential information is subject to the rules of procedure of the court or panel to which it is provided.

Providing Only Non-confidential Information?

If you decide that your reply to this *ERQ* does not contain confidential information, every page of your reply should be marked "NON-CONFIDENTIAL". You must make a statement, in a covering letter, that you do not consider any information in your submission to be confidential.

Providing Confidential Information?

If your reply to this *ERQ* contains confidential information, this reply, along with all of the attachments and supporting documents, will be your confidential submission. You must:

1. clearly indicate, by either enclosing the information within square brackets or by shading the information, all confidential information contained in this submission. An example of the each method is provided in the "Non-confidential Edited Version" section below; and
2. clearly mark "CONFIDENTIAL" on every page of the confidential submission, including all attachments.

If you have a submission with confidential information, for the CBSA to be able to use your information, **you must provide a non-confidential version**. It is important that your non-confidential version is complete, as it will be provided to other parties involved in this review if they request it.

Your non-confidential version may be in the form of:

- a non-confidential edited version; or
- a non-confidential summary version, where the edited version does not contain enough information to convey a reasonable understanding of the information submitted in the confidential version

Non-confidential Edited Version

An edited version has the confidential information removed, to create a non-confidential version. You must leave enough detail to provide an understanding of the confidential information removed.

In **Part D.2**, which must be attached with your non-confidential version, you must:

- A) explain briefly the nature of the confidential information removed in your non-confidential version; and
- B) give the reasons why you request that the information be treated confidential, as explained in this part of the **ERQ**.

In the following example, the text indicates the nature of the bracketed [**confidential information**] that has been deleted in the non-confidential version.

The confidential response to a request may be: The selling price of model ABC to our Canadian distributor was US\$[**25.99**] per unit.

The edited version of this response may be: The selling price of model ABC to our Canadian distributor was US\$[] per unit. In this example, the nature of the information removed in the non-confidential version relates to “selling price information”. **NOTE: the spacing between the brackets [] should reflect the same spacing as in the confidential version.**

In the following example, the text indicates the nature of the **shaded confidential information** that has been deleted in the non-confidential version.

The confidential response to a request may be: The selling price of model ABC to our Canadian distributor was US\$**25.99** per unit.

The edited version of this response may be: The selling price of model ABC to our Canadian distributor was US[] per unit. In this example, the nature of the information removed in the non-confidential version relates to “selling price information”. **NOTE: the spacing in the shaded area [] should reflect the same spacing as in the confidential version.**

As a further example, the following would represent an acceptable edited version of an export sales listing. A sample page for a multi-page listing could look like this:

1	2	3	4	5	6	7
IMPTR	DATSHIP	INVNUM	INVDATE	QUANTITY	EXTSP	NETSP
[]	2006/02/16	14064555	2006/02/16	[]	[]	[]
[]	2006/03/14	14179020	2006/03/12	[]	[]	[]
[]	2006/04/14	14253018	2006/04/16	[]	[]	[]
[]	2006/05/09	14474937	2006/05/09	[]	[]	[]

Or this:

1	2	3	4	5	6	7
IMPTR	DATSHIP	INVNUM	INVDATE	QUANTITY	EXTSP	NETSP
■	2006/02/16	14064555	2006/02/16	■	■	■
■	2006/03/14	14179020	2006/03/12	■	■	■
■	2006/04/14	14253018	2006/04/16	■	■	■
■	2006/05/09	14474937	2006/05/09	■	■	■

Non-confidential Summary Version

Where deleting information for a non-confidential edited version does not leave enough detail to provide an understanding of the confidential information removed, a non-confidential summary of the deleted information must be included, describing the confidential information that has been removed.

If you intend to provide a non-confidential summary of an appendix or attachment, the non-confidential narrative would normally be accompanied by at least one (1) sample page, with the confidential data removed, of the related appendix or attachment.

Review of Non-Confidential Submission

The non-confidential version of your submission will be reviewed by the CBSA to ensure that it is in sufficient detail to convey a reasonable understanding of the substance of the information submitted in the confidential version.

If CBSA determines that an adequate non-confidential edited version *or* a non-confidential summary of information designated as confidential has not been provided by the respondent, and the respondent fails to justify why it cannot be provided, does not take corrective action or does not submit a revised version, the CBSA will **NOT** use the confidential information provided by your firm in the proceedings. As a result, the CBSA's determination will be based on the best information available. It is imperative that companies delete only the minimum information necessary to protect their interests and only what is confidential.

PART D.2 - NON-CONFIDENTIAL STATEMENT

Nature of information deleted in the non-confidential version and reasons for designating information as confidential

[Note: this document should be reproduced, completed and signed on the letterhead of your company or of your counsel.]

Section 1 – Answers to the *ERQ*

A) Explain briefly the nature of the confidential information removed in your non-confidential version response to the ERQ requests.

B) Reasons why you request that the information be treated confidential, as explained in **Part D.1** of the ERQ.

Section 2 – Appendices, Attachments and Supporting Documents

A) Explain briefly the nature of the confidential information in appendices, attachments and supporting documents, removed in your non-confidential version.

B) Reasons why you request that the information be treated confidential, as explained in **Part D.1** of the ERQ.

I, _____ of _____
(Print name) (Print Position) (Print name of company)

Signed: _____

PART E

Certificate of Veracity, Accuracy and Completeness

[Note: this certificate should be reproduced and signed on your company's letterhead by an officer who has authority to respond on behalf of your company.]

I, _____, _____ of _____
(Print name) (Print Position Title) (Print name of company)

I certify that the information submitted to the CBSA in response to the questionnaire concerning the expiry review into certain hot-rolled steel plate is true, accurate and complete.

Signed: _____

Date: _____

Telephone number of signatory: _____

Fax number of signatory: _____

Address of signatory: _____

APPENDIX 2

**IMPORTS OF CERTAIN HOT-ROLLED STEEL PLATE
FROM SUBJECT AND NON-SUBJECT COUNTRIES**

COUNTRY OF ORIGIN: _____

SUPPLIER: _____

		2005 Full Year	2006 Full Year	2007 Full Year	2008 Jan. 1 – March 31	*2007 Jan. 1 – June 30	*2008 Jan. 1 – June 30
	Certain Hot-Rolled Steel Plate						
1	Volume (Tonnes)						
2	Net Delivered Value (\$000)						
3	Unit Value (\$/Tonne)						
4	Delivery Costs (%)						

Please complete one appendix for each country (subject and non-subject) from which you imported the goods.

All years are calendar years.

* **Note:** In the event that the CBSA determines that the expiry of the finding is likely to result in the continuation or resumption of dumping of certain hot-rolled steel plate, you are required to update your response by completing the columns covering the first 6 months of 2008 and the comparative period for 2007. The updated data should be sent to the Tribunal no later than **September 4, 2008**.

APPENDIX 2

SUMMARY OF DATA FIELDS FOR “IMPORTS OF CERTAIN HOT-ROLLED STEEL PLATE FROM SUBJECT AND NON-SUBJECT COUNTRIES”

The row names specified in the following summary must be used in your printouts and the computer files submitted to the CBSA. If some of these rows are not applicable, prepare an explanation and attach it to your response.

Please complete a separate appendix for each country and supplier from which you imported the goods.

Report imports for which you were the importer of record for Customs purposes. Do not report purchases from non-resident importers or suppliers that are the importers of record.

All years are calendar year.

Row 1: **Volume (Tonnes)**

Description: Indicate the volume of units imported for each specified period, i.e., tonnes.

Row 2: **Net Delivered Value (\$000)**

Description: The net-delivered value is the laid-in cost, including all import costs such as customs and other duties, brokerage fees and delivery costs (freight, handling and insurance) to your warehouse. The net delivered value should be expressed in Canadian dollars.

Row 3: **Unit Value (\$/Tonne)**

Description: The unit value is the net delivered value divided by volume.

Row 4: **Delivery Costs (%)**

Description: Express the average delivery costs (freight, handling and insurance), whether included in the purchase price of the imports or incurred separately by your firm, as a percentage of the net delivered value.

APPENDIX 3

PURCHASES OF CERTAIN HOT-ROLLED STEEL PLATE FROM CANADIAN PRODUCERS¹

CANADIAN PRODUCER: _____

		2005 Full Year	2006 Full Year	2007 Full Year	2008 Jan. 1 – March 31	*2007 Jan. 1 – June 30	*2008 Jan. 1 – June 30
	Certain Hot-Rolled Steel Plate						
1	Volume (Tonnes)						
2	Net Delivered Value (\$000)						
3	Unit Value (\$/Tonne)						
4	Delivery Costs (%)						

1. Please complete one appendix for each Canadian producer.

All years are calendar years.

* **Note:** In the event that the CBSA determines that the expiry of the finding is likely to result in the continuation or resumption of dumping of certain hot-rolled steel plate, you are required to update your response by completing the columns covering the first 6 months of 2008 and the comparative period for 2007. The updated data should be sent to the Tribunal no later than **September 4, 2008**.

APPENDIX 3

SUMMARY DATA FIELDS FOR “PURCHASES OF CERTAIN HOT-ROLLED STEEL PLATE FROM CANADIAN PRODUCERS”

The row names specified in the following summary must be used in your printouts and the computer files submitted to the CBSA. If some of these rows are not applicable, prepare an explanation and attach it to your response.

Please complete a separate appendix for each Canadian producer.

All years are calendar year.

Row 1: **Volume (Tonnes)**

Description: Indicate the volume of units purchased for each specified period, i.e., tonnes.

Row 2: **Net Delivered Value (\$000)**

Description: The net-delivered value is the laid-in cost, net of cash, quantity or deferred discounts, allowances and taxes. Laid-in cost includes delivery costs (freight, handling and insurance) to your warehouse. This value is to be stated in Canadian dollars.

Row 3: **Unit Value (\$/Tonne)**

Description: The unit value is the net delivered value divided by volume.

Row 4: **Delivery Costs (%)**

Description: Express the average delivery costs (freight, handling and insurance), whether included in the purchase price or incurred separately by your firm, as a percentage of the net delivered value.

APPENDIX 4

TABLE A: SALES OF CERTAIN HOT-ROLLED STEEL PLATE

		2005 Full Year	2006 Full Year	2007 Full Year	2008 Jan. 1 – March 31	*2007 Jan. 1 – June 30	*2008 Jan. 1 – June 30
	A) Sales from Domestic Purchases (for domestic consumption)						
(i)	Discrete Plate¹						
1	Volume (Tonnes)						
2	Net Delivered Value (\$000)						
3	Unit Value (\$/Tonne)						
4	Delivery Costs (%)						
(ii)	Plate-Cut-to-Length from Coil²						
1	Volume (Tonnes)						
2	Net Delivered Value (\$000)						
3	Unit Value (\$/Tonne)						
4	Delivery Costs (%)						
(iii)	Total Sales from Domestic Production (for domestic consumption (i) + (ii))						
5	Volume (Tonnes)						
6	Net Delivered Value (\$000)						
7	Unit Value (\$/Tonne)						
8	Delivery Costs (%)						

1. Plate that is cut to length at the hot-rolling mill, i.e. that has not been coiled.
2. Plate that is cut-to-length, by your firm or for your firm under a tolling arrangement, from a coil produced in or imported into Canada.

APPENDIX 4 (CONTINUED)

TABLE B: SALES OF CERTAIN HOT-ROLLED STEEL PLATE

		2005 Full Year	2006 Full Year	2007 Full Year	2008 Jan. 1 – March 31	*2007 Jan. 1 – June 30	*2008 Jan. 1 – June 30
	B) Sales from Imports (for domestic consumption) Imports from: _____ (specify country)						
	Certain Hot-Rolled Steel Plate						
1	Volume (Tonnes)						
2	Net Delivered Value (\$000)						
3	Unit Value (\$/Tonne)						
4	Delivery Costs (%)						

Please complete one appendix for each country (subject and non-subject) from which you imported the goods.

All years are calendar years.

* **Note:** In the event that the CBSA determines that the expiry of the finding is likely to result in the continuation or resumption of dumping of certain hot-rolled steel plate, you are required to update your response by completing the columns covering the first 6 months of 2008 and the comparative period for 2007. The updated data should be sent to the Tribunal no later than **September 4, 2008**.

APPENDIX 4

SUMMARY OF DATA FIELDS FOR SALES OF CERTAIN HOT-ROLLED STEEL PLATE

The row names specified in the following summary must be used in your printouts and the computer files submitted to the CBSA. If some of these rows are not applicable, prepare an explanation and attach it to your response.

Prepare a separate response to Table B for each country from which you imported certain hot-rolled steel plate. Include only those sales from imports for which you were the importer of record for Customs purposes, and which were sold for consumption in Canada.

All years are calendar year.

Row 1: **Volume (Tonnes)**

Description: Indicate the volume of units sold for each specified period, i.e., tonnes.

Row 2: **Net Delivered Value (\$000)**

Description: The net delivered value is net of cash, quantity or deferred discounts, allowances and taxes. However, it includes delivery costs (freight, handling and insurance) paid by your firm and included in the selling price or an estimate of the delivery costs incurred by the purchaser when the goods are purchased on an FOB basis. This value is to be stated in Canadian dollars.

Row 3: **Unit Value (\$/Tonne)**

Description: The unit value is the net delivered value divided by volume.

Row 4: **Delivery Costs (%)**

Description: The average delivery costs (freight, handling and insurance), whether included in the purchase price or incurred separately by the purchaser, expressed as a percentage of the net delivered value.

Row 5: **Volume (Tonnes)**

Description: Total volume of the product breakouts.

Row 6: **Net Delivered Value (\$000)**

Description: The total net delivered value of the product breakouts.

Row 7: **Unit Value (\$/Tonne)**

Description: The unit value is the total net delivered value divided by total volume.

Row 8: **Delivery Costs (%)**

Description: The total average delivery costs of the product breakouts.

APPENDIX 5

REGIONAL DISTRIBUTION OF SALES OF CERTAIN HOT-ROLLED STEEL PLATE

Volumes (Tonnes)	2005 Full Year	2006 Full Year	2007 Full Year	2008 Jan. 1 – March 31	*2007 Jan. 1 – June 30	*2008 Jan. 1 – June 30
Atlantic Provinces						
Quebec						
Ontario						
Prairies						
British Columbia						
TOTAL						

Values (\$000)	2005 Full Year	2006 Full Year	2007 Full Year	2008 Jan. 1 – March 31	*2007 Jan. 1 – June 30	*2008 Jan. 1 – June 30
Atlantic Provinces						
Quebec						
Ontario						
Prairies						
British Columbia						
TOTAL						

Please report the regional distribution of total sales from domestic purchases and from imports of certain hot-rolled steel plate.

Volume (Tonnes) is the volume of units sold for each specified period, i.e., tonnes.

Value (\$000) is the net delivered value - net of cash, quantity or deferred discounts, allowances and taxes. However, it includes delivery costs (freight, handling and insurance) paid by your firm and included in the selling price or an estimate of the delivery costs incurred by the purchaser when the goods are purchased on an FOB basis. The net delivered value should be expressed in Canadian dollars.

All years are calendar years.

* **Note:** In the event that the CBSA determines that the expiry of the finding is likely to result in the continuation or resumption of dumping of certain hot-rolled steel plate, you are required to update your response by completing the columns covering the first 6 months of 2008 and the comparative period for 2007. The updated data should be sent to the Tribunal no later than **September 4, 2008**.

APPENDIX 6

FINISHED INVENTORIES OF CERTAIN HOT-ROLLED STEEL PLATE

	Certain Hot-Rolled Steel Plate Produced Domestically		Certain Hot-Rolled Steel Plate Imported	
	Volume (Tonnes)	Value (\$000)	Volume (Tonnes)	Value (\$000)
As of December 31, 2004				
As of December 31, 2005				
As of December 31, 2006				
As of December 31, 2007				
As of March 31, 2008				
*As of June 30, 2007				
*As of June 30, 2008				

Volume (Tonnes) is the volume of finished inventories that are not sold for each specified period, i.e. tonnes.

Value (\$000) is the method used to value the inventories in question B10. This value should be stated in Canadian dollars.

*** Note:** In the event that the CBSA determines that the expiry of the finding is likely to result in the continuation or resumption of dumping of certain hot-rolled steel plate, you are required to update your response by completing the rows covering the first 6 months of 2008 and the comparative period for 2007. The updated data should be sent to the Tribunal no later than **September 4, 2008**.