

has previously excluded Samsung Electronics Co., Ltd. from this order. *Id.*

On August 13, 2007, Hynix requested that the Department adjust the deposit rate to more accurately reflect CVD liability. Hynix asserts that the record of this proceeding demonstrates a substantial change to and termination of known non-recurring subsidy benefit streams in 2005 and 2006, as well as termination of the program related to GOK entrustment or direction prior to 2004. Citing 19 CFR 351.526, Hynix claims that the Department has regulations involving program-wide changes that allow it to adjust the deposit rate, as well as the discretion to effect changes in the deposit rate where circumstances do not fit the more formal program-wide change criteria.¹⁰ Hynix asserts that under 19 CFR 351.526, the Department may make an adjustment to the CVD deposit rate where: 1) the Department determines that a program-wide change has occurred, which encompasses any change effectuated by an official act not limited to an individual firm or firms; and 2) the Department is able to measure the change in the amount of the countervailable subsidies provided under the program in question. Hynix alleges that the facts of this case, even if they do not technically fit all aspects of 19 CFR 351.526, are sufficient to warrant a deposit rate adjustment because an unadjusted CVD deposit rate will not remotely reflect anticipated CVD liability.

Hynix notes that the Department, under 19 CFR 351.526, will only refrain from such adjustments in cases when residual benefits may continue under the terminated program or when a substitute program has been introduced. Hynix asserts, however, that the Department has departed from this narrow rule in certain instances. Citing the *Pure Magnesium Decision Memorandum*,¹¹ Hynix argues that the Department has departed from the narrower rule when the only event at issue was the termination of a known subsidy benefit stream during the POR. Hynix claims that there is no statutory

bar to further development of the exception, and that the Department has the discretion to draw distinctions on a case-specific basis and to adjust the deposit rate where necessary.

On August 21, 2007, petitioner submitted a letter objecting to Hynix's request. Petitioner objects for the following reasons: 1) the letter was too late for the Department to consider; 2) as Hynix admits, the facts do not fit all aspects of 19 CFR 351.526, and the Department has previously found that expiration of benefits from a non-recurring subsidy does not qualify as a program wide change;¹² 3) even in cases cited by Hynix where the Department reduced the cash deposit rate to reflect the expiration of non-recurring subsidies, the amortization period ended during the POR, and the Department has made clear that where the benefit is set to expire after the end of the POR, no adjustment to the cash deposit is necessary;¹³ and 4) Hynix's argument is premised on the assumption that the Department will not revise the allocation period for the 2003 bailout.

We disagree with Hynix that the cash deposit rate should be revised for expiry of the program related to GOK entrustment or direction prior to 2004. It is the Department's general practice to adjust cash deposit rates to reflect the expected discontinuation of future subsidy benefits only where it has been demonstrated that a program-wide change has occurred, pursuant to 19 CFR 351.526. As we stated in the *Pure Magnesium Decision Memorandum* at Comment 2, the Department only provided a narrowly circumscribed exception to this general practice in light of certain, specific conditions; namely, the information needed to make the adjustment was derived entirely from the POR and the expiry of the subsidy meant the expected countervailing duty rate for entries subject to the deposit rate set in that review was *de minimis*. These circumstances do not apply in this review. Therefore, the rationale for the limited exception in prior cases is not met in this review. Accordingly, we are not revising the cash deposit rate for expiry of the program related to GOK entrustment or direction prior to 2004.

¹⁰ See *Stainless Steel Sheet and Strip in Coils from France: Final Results of Countervailing Duty Administrative Review*, 68 FR 53963 (September 15, 2003), and accompanying *Issues and Decision Memorandum at Comment 3*; and *Low Enriched Uranium from Germany, the Netherlands, and the United Kingdom: Final Results of Countervailing Duty Administrative Reviews*, 69 FR 40869 (July 7, 2004), and accompanying *Issues and Decision Memorandum at Comment 3*.

¹¹ See *Pure Magnesium and Alloy Magnesium from Canada: Final Results of Countervailing Duty Administrative Review*, 70 FR 54367 (September 14, 2005), and accompanying *Issues and Decision Memorandum at Comment 2* ("*Pure Magnesium Decision Memorandum*").

¹² See *Carbon and Alloy Steel Wire Rod from Canada: Final Affirmative Countervailing Duty Determination*, 67 FR 55813 (August 30, 2002), and accompanying *Issues and Decision Memorandum at Comment 11*.

¹³ See *Pure Magnesium Decision Memorandum at Comment 2*.

Public Comment

Interested parties may submit written arguments in case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, limited to issues raised in case briefs, may be filed not later than five days after the date of filing the case briefs. Parties who submit briefs in this proceeding should provide a summary of the arguments not to exceed five pages and a table of statutes, regulations, and cases cited. Copies of case briefs and rebuttal briefs must be served on interested parties in accordance with 19 CFR 351.303(f).

Interested parties may request a hearing within 30 days after the date of publication of this notice. Unless otherwise specified, the hearing, if requested, will be held two days after the scheduled date for submission of rebuttal briefs.

The Department will publish a notice of the final results of this administrative review within 120 days from the publication of these preliminary results.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 31, 2007.

David M. Spooner,

Assistant Secretary for Import Administration.

[FR Doc. E7-17759 Filed 9-7-07; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

(C-570-917)

Laminated Woven Sacks from the People's Republic of China: Postponement of Preliminary Determination in the Countervailing Duty Investigation

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: September 10, 2007.

FOR FURTHER INFORMATION CONTACT: Mark Hoadley or Jack Zhao, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3148 and (202) 482-1396, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 18, 2007, the Department of Commerce (Department) initiated the countervailing duty investigation of laminated woven sacks (LWS) from the

People's Republic of China. See *Laminated Woven Sacks from the People's Republic of China: Initiation of Countervailing Duty Investigation*, 72 FR 40839 (July 25, 2007). Currently, the preliminary determination is due no later than September 21, 2007.

Postponement of Due Date for Preliminary Determination

On August 23, 2007, Bancroft Bag, Inc., Coating Excellence International, Inc., Hood Packaging Corporation, Mid-America Packaging, LLC, and Polytex Fibers Corporation (collectively, petitioners), submitted a letter requesting that the Department postpone the preliminary determination of the countervailing duty investigation of LWS from the People's Republic of China by 65 days. Under section 703(c)(1)(A) of the Tariff Act of 1930, as amended (the Act), the Department may extend the period for reaching a preliminary determination in a countervailing duty investigation until not later than the 130th day after the date on which the administering authority initiates an investigation if the petitioner makes a timely request for an extension of the period within which the determination must be made under section 703(b) of the Act. Pursuant to section 351.205(e) of the Department's regulations, the petitioners' request for postponement of the preliminary determination was made 25 days or more before the scheduled date of the preliminary determination. Accordingly, we are extending the due date for the preliminary determination by 65 days to November 25, 2007. Because November 25, 2007 is a Sunday, the Department will issue the preliminary determination no later than November 26, 2007.

This notice is issued and published pursuant to section 703(c)(2) of the Act.

Dated: August 31, 2007.

David M. Spooner,
Assistant Secretary for Import Administration.

[FR Doc. E7-17747 Filed 9-7-07; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

(C-580-835)

Stainless Steel Sheet and Strip in Coils from the Republic of Korea: Preliminary Results of Countervailing Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the countervailing duty (CVD) order on stainless steel sheet and strip in coils from the Republic of Korea (Korea) for the period January 1, 2005, through December 31, 2005. We preliminarily find that the net subsidy rate for the producer/exporter under review is *de minimis*. See the "Preliminary Results of Review" section of this notice. Interested parties are invited to comment on these preliminary results. (See the "Public Comment" section of this notice).

EFFECTIVE DATE: September 10, 2007.

FOR FURTHER INFORMATION CONTACT: Preeti Tolani or Robert Copyak, AD/CVD Operations, Office 3, Import Administration, U.S. Department of Commerce, Room 4014, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0395 or (202) 482-2209, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 6, 1999, the Department published in the **Federal Register** the CVD order on stainless steel sheet and strip in coils from Korea. See *Amended Final Determination: Stainless Steel Sheet and Strip in Coils from the Republic of Korea; and Notice of Countervailing Duty Orders: Stainless Steel Sheet and Strip from France, Italy and the Republic of Korea*, 64 FR 42923 (August 6, 1999). On August 1, 2006, the Department published a notice of opportunity to request an administrative review of this CVD order. See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 71 FR 43441 (August 1, 2006). On August 8, 2006, we received a timely request for review from Dai Yang Metal Co., Ltd. (DMC). On September 29, 2006, the Department published a notice of initiation of the administrative review of the CVD order on stainless steel sheet and strip in coils from Korea covering the period of review (POR) January 1, 2005, through December 31, 2005. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 71 FR 57465 (September 29, 2006). On September 27, 2006, the Department sent questionnaires to DMC and the Government of Korea (GOK). On November 30, 2006, the Department received questionnaire responses from DMC and the GOK. On February 12, 2007, DMC and the GOK submitted responses to the Department's January 29, 2007, supplemental questionnaires.

On May 9, 2007, the Department published in the **Federal Register** an extension of the preliminary results deadline. See *Stainless Steel Sheet and Strip from the Republic of Korea: Extension of Time Limit for Preliminary Results of Countervailing Duty Administrative Review*, 72 FR 26338.

In accordance with 19 CFR 351.213(b), this review covers only those producers or exporters for which a review was specifically requested. The only company subject to this review is DMC.

Scope of Order

The products subject to this order are certain stainless steel sheet and strip in coils. Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject sheet and strip is a flat-rolled product in coils that is greater than 9.5 mm in width and less than 4.75 mm in thickness and that is annealed or otherwise heat treated and pickled or otherwise descaled. The subject sheet and strip may also be further processed (e.g., cold-rolled, polished, aluminized, coated), provided that it maintains the specific dimensions of sheet and strip following such processing.

The merchandise subject to this order is currently classifiable in the *Harmonized Tariff Schedule of the United States* (HTSUS) at subheadings:

7219.13.00.30, 7219.13.00.50, 7219.13.00.70, 7219.13.00.80, 7219.14.00.30, 7219.14.00.65, 7219.14.00.90, 7219.32.00.05, 7219.32.00.20, 7219.32.00.25, 7219.32.00.35, 7219.32.00.36, 7219.32.00.38, 7219.32.00.42, 7219.32.00.44, 7219.33.00.05, 7219.33.00.20, 7219.33.00.25, 7219.33.00.35, 7219.33.00.36, 7219.33.00.38, 7219.33.00.42, 7219.33.00.44, 7219.34.00.05, 7219.34.00.20, 7219.34.00.25, 7219.34.00.30, 7219.34.00.35, 7219.35.00.05, 7219.35.00.15, 7219.35.00.30, 7219.35.00.35, 7219.90.00.10, 7219.90.00.20, 7219.90.00.25, 7219.90.00.60, 7219.90.00.80, 7220.12.10.00, 7220.12.50.00, 7220.20.10.10, 7220.20.10.15, 7220.20.10.60, 7220.20.10.80, 7220.20.60.05, 7220.20.60.10, 7220.20.60.15, 7220.20.60.60, 7220.20.60.80, 7220.20.70.05, 7220.20.70.10, 7220.20.70.15, 7220.20.70.60, 7220.20.70.80, 7220.20.80.00, 7220.20.90.30, 7220.20.90.60, 7220.90.00.10, 7220.90.00.15, 7220.90.00.60, and 7220.90.00.80. Although the HTSUS subheadings are