

CFR 210.47. In light of the Commission's decision, the Commission has determined that Peloton's Petition; the iFit Respondents' Notice of Joinder; and Complainants' motion for leave to respond to Respondents' Notice of Joinder are moot.<sup>3</sup> The Commission's Orders are issued concurrently herewith.

The Commission vote for this determination took place on May 5, 2023.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

previously expressed views, she would also extend the exemption for replacement of the whole article in this case to include those that are not currently under warranty. *See* Comm'n Op. at 91 n.53 (Mar. 23, 2023) (Public Version).

<sup>2</sup> Commissioner Kearns does not join in the decision to reconsider and modify the remedial orders. At the time of the Commission's final determination in this investigation, he found that the appropriate way to mitigate harm to U.S. consumers was through an exemption for repair/replacement of products purchased by consumers prior to the date of the Commission's determination of violation and issuance of the orders. Having made that determination, based on the record and parties' arguments, he sees no reason to reconsider it. He notes that, in some prior investigations, the Commission has similarly granted a repair exemption that covered only products purchased by the date of the order. *See, e.g., Certain Variable Speed Wind Turbine Generators and Components Thereof*, Inv. No. 337-TA-1218, Limited Exclusion Order at 2 (Jan. 18, 2022); *Certain Magnetic Data Storage Tapes and Cartridges Containing the Same*, Inv. No. 337-TA-1012, Limited Exclusion Order at 2 (Mar. 8, 2018). Finally, he notes that he does not view the Petition as meeting the requirements set forth in Commission Rule 210.47 (19 CFR 210.47).

<sup>3</sup> Commissioner Karpel would deny Peloton's Petition for failure to meet the standard set forth in Rule 210.47 of the Commission's Rules of Practice and Procedure. 19 CFR 210.47 (requiring petitions for reconsideration to be "confined to new questions raised by the determination or action ordered to be taken thereunder and upon which the petitioner had no opportunity to submit arguments"). Commissioner Karpel joins the Commission's decision to *sua sponte* reconsider the original remedial orders issued in this investigation and to issue orders modifying the remedial orders previously issued in this investigation to reduce their impact on those U.S. consumers. However, consistent with her views stated in the Commission Opinion, Commissioner Karpel would modify the remedial orders by extending the service and repair exemption to permit Respondents to import and use component parts for service and repair of damaged fitness devices that are or have been purchased by U.S. consumers during the Presidential review period, but would not permit Respondents to supply as a replacement the identical fitness device purchased by the consumer during this period for the reasons she stated in the Commission Opinion. *See* Comm'n Op. at 89 n.51 (Mar. 8, 2023).

Issued: May 5, 2023.

**Sharon Bellamy,**

*Acting Supervisory Hearings and Information Officer.*

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## INTERNATIONAL TRADE COMMISSION

### Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

**AGENCY:** International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Photovoltaic Connectors and Components Thereof, DN 3680*; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

**FOR FURTHER INFORMATION CONTACT:** Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov).

General information concerning the Commission may also be obtained by accessing its internet server at United States International Trade Commission (USITC) at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at <https://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Shoals Technologies Group, LLC on May 4, 2023. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain photovoltaic connectors and components thereof. The complaint

names as respondents: Hikam America, Inc., of Chula Vista, CA; Hikam Electrónica de México, S.A. de C.V., of Baja California; Hikam Tecnología de Sinaloa of Mexico; Hewtech Philippines Corp. of Philippines; Hewtech Philippines Electronics Corp. of Philippines; Hewtech (Shenzhen) Electronics Co., Ltd. of China; Voltage, LLC of Chapel Hill, NC; and Ningbo Voltage Smart Production Co. of China. The complainant requests that the Commission issue limited exclusion order, cease and desist orders, and impose a bond upon respondent alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues

must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due, notwithstanding § 201.14(a) of the Commission's Rules of Practice and Procedure. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number ("Docket No. 3680) in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, Electronic Filing Procedures<sup>1</sup>). Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>.) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding filing should contact the Secretary at [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract

personnel,<sup>2</sup> solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.<sup>3</sup>

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: May 5, 2023.

**Sharon Bellamy,**

*Acting Supervisory Hearings and Information Officer.*

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## DEPARTMENT OF JUSTICE

[OMB Number 1140-0104]

### Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection; Application for Alternate Means of Identification of Firearm(s) (Marking Variance)—ATF Form 3311.4

**AGENCY:** Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

**ACTION:** 60-Day notice.

**SUMMARY:** The Department of Justice (DOJ), The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

**DATES:** Comments are encouraged and will be accepted for 60 days until July 10, 2023.

**FOR FURTHER INFORMATION CONTACT:** If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Daniel Hoffman, Chief, Firearms Technology Industry Services Branch, by mail at Firearms & Ammunition Technology Division, 244 Needy Rd., Suite 1600, Martinsburg, WV 25405, email at [Fire\\_tech@atf.gov](mailto:Fire_tech@atf.gov) or telephone at 304-616-4300.

<sup>2</sup> All contract personnel will sign appropriate nondisclosure agreements.

<sup>3</sup> Electronic Document Information System (EDIS): <https://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:** Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Abstract:* ATF Form 3311.4 provides a uniform mean for industry members with a valid Federal importer or manufacturer license, to request firearms marking variance.

### Overview of This Information Collection

1. *Type of Information Collection:* Extension of a previously approved collection.
2. *The Title of the Form/Collection:* Application for Alternate Means of Identification of Firearm(s) (Marking Variance)—ATF Form 3311.4.
3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* ATF Form 3311.4. Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.
4. *Affected public who will be asked or required to respond, as well as the obligation to respond:* Affected Public: Private Sector—businesses or other for-profits institutions. The obligation to respond is required to obtain or retain a benefit.
5. *An estimate of the total number of respondents, frequency, and the amount of time estimated for an average respondent to respond:* An estimated 2,064 respondents will utilize the form annually, and it will take each respondent approximately 30 minutes to complete their responses.
6. *An estimate of the total public burden (in hours) associated with the*

<sup>1</sup> Handbook for Electronic Filing Procedures: [https://www.usitc.gov/documents/handbook\\_on\\_filing\\_procedures.pdf](https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf).