

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

### Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed above will be equal to the weighted-average dumping margin that is established in the “Final Results of Review”; (2) for previously investigated or reviewed companies not subject to this review, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of the proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be 9.10 percent *ad valorem*, the all-others rate established in the LTFV investigation.<sup>9</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers Regarding the Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

<sup>9</sup> See Order.

### Administrative Protective Order

This notice also serves as a reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

### Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5) and 19 CFR 351.213(h)(1).

Dated: December 19, 2024.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Changes Since the *Preliminary Results*
- V. Discussion of the Issues
  - Comment 1: The Appropriate Source for Construction Value Profit and Indirect Selling Expenses
  - Comment 2: Whether to Revise Amatei’s Profit and Indirect Selling Expense Ratios
  - Comment 3: Whether to Deduct All Section 232 Duties
- VI. Recommendation

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### DEPARTMENT OF COMMERCE

#### International Trade Administration

[C–570–980]

### Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People’s Republic of China: Notice of Court Decision Not in Harmony with the Results of Countervailing Duty Administrative Review; Notice of Amended Final Results

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** On December 18, 2024, the U.S. Court of International Trade (CIT)

issued its final judgment in *Risen Energy Co., Ltd., v. United States*, Court No. 23–00153, sustaining the U.S. Department of Commerce’s (Commerce) remand results pertaining to the administrative review of the countervailing duty (CVD) order on crystalline silicon photovoltaic cells, whether or not assembled into modules (solar cells), from the People’s Republic of China (China) covering the period January 1, 2020 through December 31, 2020. Commerce is notifying the public that the CIT’s final judgment is not in harmony with Commerce’s final results of the administrative review, and that Commerce is amending the final results with respect to the countervailable subsidy rate assigned to producer and/or exporter Risen Energy Co., Ltd. (Risen).

**DATES:** Applicable December 28, 2024.

**FOR FURTHER INFORMATION CONTACT:** Lingjun Wang, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–2316.

### SUPPLEMENTARY INFORMATION:

#### Background

On July 11, 2023, Commerce published its Final Results in the 2020 CVD administrative review of solar cells from China. Commerce found that the Government of China failed to cooperate to the best of its ability and, as adverse facts available, found that Risen used and benefited from the Export Buyer’s Credit Program (EBCP).<sup>1</sup>

After correcting ministerial errors contained in the Final Results, on August 11, 2023, Commerce published the Amended Final Results, where we corrected the calculation of the countervailable subsidy rate for Risen from 14.27 percent to 18.95 percent.<sup>2</sup>

Risen appealed Commerce’s Final Results/Amended Final Results to the CIT. On August 16, 2024, the CIT remanded the Final Results/Amended Final Results to Commerce. The CIT directed Commerce on remand to either attempt verification of the non-use certifications to determine more accurately what proportion of the sales

<sup>1</sup> See *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People’s Republic of China: Final Results of Countervailing Duty Administrative Review; 2020*, 88 FR 44108 (July 11, 2023) (*Final Results*), and accompanying Issues and Decision Memorandum (IDM).

<sup>2</sup> See *Notice of Correction to the Final Results, and Amended Final Results of Countervailing Duty Administrative Review; 2020* (August 11, 2023) (*Amended Final Results*).

Risen is able to account for, or to remove at least the portion of the EBCP rate attributable to the customers demonstrating non-use from the calculation of Risen's overall subsidy rate.<sup>3</sup>

In its final Remand Redetermination,<sup>4</sup> issued in November 2024, Commerce found that pro-rating Risen's subsidy rate to account for the number of non-use certifications provided by its U.S. customers is inconsistent with Commerce's practice and the AFA hierarchy. Commerce removed the 5.46 percent EBCP AFA rate from Risen's total countervailable subsidy rate.<sup>5</sup> The CIT sustained Commerce's Remand Redetermination.<sup>6</sup>

#### Timken Notice

In its decision in *Timken*,<sup>7</sup> as clarified by *Diamond Sawblades*,<sup>8</sup> the Court of Appeals for the Federal Circuit held that, pursuant to section 516A(c) and (e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's December 18, 2024, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's Final Results/Amended Final Results. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

#### Amended Final Results

Because there is now a final court judgment, Commerce is amending its Final Results and Amended Final Results with respect to producer and/or exporter Risen's countervailable subsidy rate for the period of January 1, 2020, through December 31, 2020, as follows:

<sup>3</sup> See *Risen Energy Co., Ltd., v. United States*, 724 F.Supp.3d 1356 (CIT 2024).

<sup>4</sup> See *Final Results of Redetermination Pursuant to Court Remand, Risen Energy Co., Ltd., v. United States* Court No. 23-00153, Slip Op. 2-94 (CIT August 16, 2024), dated November 13, 2024 (Remand Redetermination), available at <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

<sup>5</sup> *Id.*

<sup>6</sup> See *Risen Energy Co., Ltd., v. United States*, Slip Op. 24-144 (CIT 2024).

<sup>7</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>8</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>9</sup> This rate applies Risen Energy Co., Ltd. and its cross-owned companies: Risen Energy (Luoyang) Co., Ltd.; Risen Energy (Wuhai) Co., Ltd.; Risen Energy (Changzhou) Co., Ltd.; Risen Energy (Ningbo) Co., Ltd.; Risen Energy (Yiwu) Co., Ltd.; Zhejiang Boxin Investment Co., Ltd.; Zhejiang Twinsel Electronic Technology Co., Ltd.; Jiangsu Sveck New Material Co., Ltd.; Changzhou Sveck

Producer/ exporter	Subsidy rate (percent ad valorem)
Risen Energy Co., Ltd. <sup>9</sup> .....	13.49

#### Cash Deposit Requirements

Because Risen does not have a superseding cash deposit rate, Commerce will issue revised cash deposit instructions to U.S. Customs and Border Protection (CBP).

#### Liquidation of Suspended Entries

At this time, Commerce remains enjoined by the CIT order from liquidating entries that: were produced and/or exported by Risen, and were entered, or withdrawn from warehouse, for consumption during the period January 1, 2020 through December 31, 2020. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

In the event the CIT's ruling is not appealed, or, if appealed, upheld by a final and conclusive court decision, Commerce intends to instruct CBP to assess countervailing duties on unliquidated entries of subject merchandise produced and/or exported by Risen in accordance with 19 CFR 351.212(b). We will instruct CBP to assess countervailing duties on all appropriate entries covered by this review when the ad valorem rate is not zero or de minimis. Where an ad valorem subsidy rate is zero or de minimis,<sup>10</sup> we will instruct CBP to liquidate the appropriate entries without regard to countervailing duties.

#### Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e) and 777(i)(1) of the Act.

Dated: December 20, 2024.

#### Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

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Photovoltaic New Material Co., Ltd. (including Changzhou Sveck Photovoltaic New Material Co., Ltd. Jintan Danfeng Road Branch); Changzhou Sveck New Material Technology Co., Ltd.; Ninghai Risen Energy Power Development Co., Ltd.; Risen (Ningbo) Electric Power Development Co., Ltd.; Changzhou Jintan Ningsheng Electricity Power Co., Ltd.; and Risen (Changzhou) Import and Export Co., Ltd.

<sup>10</sup> See 19 CFR 351.106(c)(2).

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-823]

#### Silicomanganese From India: Final Results and Partial Rescission of Antidumping Duty Administrative Review; 2022-2023

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) finds that Maithan Alloys Limited (MAL) made sales of subject merchandise at less than normal value during the period of review (POR) May 1, 2022, through April 30, 2023. Additionally, we are rescinding the review with respect to Rajadhiraj Tirupani Vinayak Natraj Pvt. Ltd. (RTVN), because we find that it had no shipments of subject merchandise during the POR.

**DATES:** Applicable December 30, 2024.

**FOR FURTHER INFORMATION CONTACT:** Sarah Keith, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0264.

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 11, 2024, Commerce published the preliminary results of the 2022-2023 administrative review of the antidumping duty order on silicomanganese from India.<sup>1</sup> We invited interested parties to comment on the *Preliminary Results*.<sup>2</sup> No interested parties submitted comments; thus, no decision memoranda accompany this notice. The *Preliminary Results* are hereby adopted as the final results of this review. Commerce conducted this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). On October 16, 2024, in accordance with section 751(a)(3)(A) of the Act, Commerce extended the deadline for the final results of this review by 60 days, until December 16, 2024.<sup>3</sup> On December 9,

<sup>1</sup> See *Silicomanganese from India: Preliminary Results, Preliminary Results of Antidumping Duty Administrative Review and Intent to Rescind, in Part; 2022-2023*, 89 FR 49152 (June 11, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See *Preliminary Results*, 89 FR at 49153.

<sup>3</sup> See Memorandum, "Extension of Deadline for Final Results of Countervailing [sic] Duty Administrative Review," dated October 16, 2024. The memorandum title should read, "Extension of Deadline for Final Results of Antidumping Duty Administrative Review."