

MESSAGE NO: 3113308 MESSAGE DATE: 04/23/2013  
MESSAGE STATUS: Active CATEGORY: Countervailing  
TYPE: INJ-Injunction PUBLIC  NON-PUBLIC   
SUB-TYPE: TRO-Temp Rest Order

FR CITE: FR CITE DATE:

REFERENCE 3066306  
MESSAGE #  
(s):

CASE #(s): C-570-982

EFFECTIVE DATE: 03/04/2013 COURT CASE #: 13-00081 and 13-1303

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/06/2012 TO 02/12/2013

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Continuation of Temporary Restraining Order on utility scale wind towers from the People's Republic of China (C-570-982), CIT court number 13-00081 and CAFC court number 13-1303.

1. On 03/04/2013 the U.S. Court of International Trade (CIT) issued a Temporary Restraining Order (TRO) enjoining liquidation of certain entries of merchandise which were subject to suspension of liquidation pursuant to the affirmative preliminary results of the countervailing duty investigation published at Utility Scale Wind Towers from the People's Republic of China, 77 FR 33422 (06/06/2012) (prelim. determ. of countervailing duty investigation) and were entered, or withdrawn from warehouse, for consumption during the period from 06/06/2012 through 02/12/2013, and are subject to the countervailing duty order on utility scale wind towers from the People's Republic of China (C-570-982).
2. On 04/19/2013 the U.S. Court of Appeals for the Federal Circuit (CAFC) issued an order temporarily enjoining Commerce and CBP from taking any action inconsistent with the TRO described above and in message 3066306, dated 03/07/2013, pending the Court's receipt of responses to a motion for a stay, pending appeal, and its consideration of the papers submitted.
3. This TRO was issued in connection with CIT court number 13-00081 and CAFC court number 13-1303 and enjoins liquidation of the entries described above and in message 3066306, dated 03/07/2013. This TRO shall remain effective for all entries which remain unliquidated as of 5:00 p.m. on 03/04/2013 and shall remain in effect until further notice.
4. Liquidation instructions for entries affected by the TRO have not yet been issued.
5. Accordingly, effective 03/04/2013 and until further notice, CBP is instructed not to liquidate entries of merchandise subject to the TRO as described in paragraph 1. Any entries that are set for liquidation must be unset immediately. Continue to suspend liquidation of other entries of utility scale wind towers from the People's Republic of China that were entered, or withdrawn from warehouse, for consumption during the period 06/06/2012 through 02/12/2013 until liquidation instructions are issued.

6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O4:PMT.)

7. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party