



Preliminary Injury Inquiry No. PI-2021-001

NOTICE OF COMMENCEMENT OF PRELIMINARY INJURY INQUIRY
(E-REGISTRY SERVICE PILOT PROJECT)

CERTAIN SMALL POWER TRANSFORMERS

The Canadian International Trade Tribunal hereby gives notice that, pursuant to subsection 34(2) of the *Special Import Measures Act (SIMA)*, it has initiated a preliminary injury inquiry to determine whether there is evidence that discloses a reasonable indication that the dumping of liquid dielectric transformers having a top power handling capacity equal to or greater than 3,000 kilovolt amperes (kVA) (3 megavolt amperes [MVA]), and less than 60,000 kilovolt amperes (kVA) (60 megavolt amperes [MVA]), and having a nominal high voltage rating of greater than 34.5 kilovolts (kV), whether assembled or unassembled, complete or incomplete, originating in or exported from the Republic of Austria, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei), and the Republic of Korea (the subject goods), has caused injury or retardation or is threatening to cause injury, as these words are defined in *SIMA*.

The Tribunal's preliminary injury inquiry will be conducted by way of written submissions. Each person or government wishing to participate in the preliminary injury inquiry must file a Form I – Notice of Participation with the Tribunal, on or before **April 28, 2021**. Each counsel who intends to represent a party in the preliminary injury inquiry must file a Form II – Notice of Representation, as well as a Form III – Declaration and Undertaking, with the Tribunal on or before **April 28, 2021**. The forms can be found in English and French on the Tribunal's website at citt-tcce.gc.ca/en/forms/forms.html.

Submissions by parties opposed to the complaint must be filed not later than noon (ET), on **May 13, 2021**. The complainants and supporting parties may make submissions in response to the submissions of parties opposed to the complaint not later than noon (ET), on **May 20, 2021**.

In accordance with section 46 of the *Canadian International Trade Tribunal Act*, a person who provides information to the Tribunal and who wishes some or all of the information to be kept confidential must, among other things, submit a non-confidential edited version or summary of the information designated as confidential, or a statement indicating why such a summary cannot be made.

Written submissions, correspondence and requests for information regarding this notice should be addressed to the Deputy Registrar, Secretariat to the Canadian International Trade Tribunal at citt-tcce@tribunal.gc.ca (e-mail) or 613-993-3595 (telephone).

Further details regarding this preliminary injury inquiry, including the schedule of key events, are contained in the sections entitled "Additional Information" and "Preliminary Injury Inquiry Schedule" of the notice of commencement of preliminary injury inquiry available on the Tribunal's website at decisions.citt-tcce.gc.ca/citt-tcce/ra/en/item/18082/index.do.

Dated at Ottawa, Ontario,
this 16th day of April 2021

ADDITIONAL INFORMATION

DISTRIBUTION OF THE RECORD

On May 3, 2021, the Tribunal will distribute the public information received from the Canada Border Services Agency (CBSA) to all parties that have filed a Form I – Notice of participation, and the confidential information to counsel who have filed a Form III – Declaration and Undertaking with the Tribunal.

SUBMISSION DATES AND FACTORS TO BE ADDRESSED

Submissions by parties opposed to the complaint must be filed not later than noon (ET), on **May 13, 2021**. These submissions should include evidence, e.g. documents and sources that support the factual statements in the submissions and argument concerning the questions of:

- whether there are goods produced in Canada, other than those identified in the CBSA's statement of reasons for initiating the investigation, that are like goods to the subject goods;
- whether the subject goods comprise more than one class of goods;
- which domestic producers of like goods comprise the domestic industry; and
- whether the information before the Tribunal discloses a reasonable indication that the alleged dumping of the subject goods has caused injury or retardation, or is threatening to cause injury.

The complainants and supporting parties may make submissions in response to the submissions of parties opposed to the complaint not later than noon (ET), on **May 20, 2021**.

One complete electronic version of all submissions must be filed with the Tribunal. Please see the Tribunal's *Confidentiality Guidelines*, available in English and French, at citt-tcce.gc.ca/en/resource-types/confidentiality-guidelines.html.

REQUESTS FOR PRODUCT EXCLUSIONS

Parties should note that the Tribunal **does not consider product exclusion requests during a preliminary injury inquiry, and, therefore, none should be filed at this stage**. Should the matter proceed to a final injury inquiry, the schedule for filing product exclusion requests will be included in the notice of commencement of inquiry.

PROCEDURE FOR FILING WITH THE TRIBUNAL

Parties and the public may file documents electronically with the Tribunal through its Secure E-filing Service at efiling-depote-pub.citt-tcce.gc.ca/submit-eng.aspx. The information is fully encrypted from the sender to the Tribunal.

Form I – Notice of Participation, Form II – Notice of Representation, and Form III – Declaration and Undertaking should all be filed electronically through the Tribunal's Secure E-filing Service at efiling-depote-pub.citt-tcce.gc.ca/submit-eng.aspx.

Following receipt of Forms I – Notice of Participation, Forms II – Notice of Representation and Forms III – Declaration and Undertakings, the Tribunal will send a letter to counsel and parties with information on the E-registry Service and the filing of documents.

OTHER INFORMATION

The *Canadian International Trade Tribunal Rules* govern these proceedings.

The Tribunal has sent notice of the commencement of preliminary injury inquiry and the preliminary injury inquiry schedule to domestic producers, importers and exporters with a known interest in the preliminary injury inquiry. The notice, additional information and the preliminary injury inquiry schedule listing the key events are available on the Tribunal's website at decisions.citt-tcce.gc.ca/citt-tcce/ra/en/item/18082/index.do.

At the end of these proceedings, the Tribunal will issue a decision supported by a summary of the case, a summary of the arguments and an analysis of the case. The decision will be posted on its website and distributed to the parties and interested persons, as well as to organizations and persons that have registered to receive decisions of the Tribunal.

Written and oral communication with the Tribunal may be in English or in French.

PRELIMINARY INJURY INQUIRY SCHEDULE

April 16, 2021	Notice of commencement of preliminary injury inquiry
April 28, 2021	Notices of participation and representation, declarations and undertakings
May 3, 2021	Distribution of documents received from the CBSA
May 13, 2021, by noon (ET)	Submissions by parties opposed to the complaint
May 20, 2021, by noon (ET)	Replies from the complainants and parties in support of the complaint
June 14, 2021	Determination
June 29, 2021	Reasons for determination