

November 28, 2022



The Honorable Gina Raimondo
Secretary
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

PUBLIC DOCUMENT

Case No.: A-570-979, C-570-980
CIRC-Anti-Circumvention Inquiry
CIRC-From Cambodia 2022
CIRC-From Malaysia 2022
CIRC-From Thailand 2022
CIRC-From Vietnam 2022
ITA/E&C/AD/CVD Operations

Dear Secretary Raimondo,

We respectfully request that you issue a negative preliminary determination in the above-referenced investigations. The ample evidence in these proceedings verifies that solar cell and module manufacturing involves technologically sophisticated operations which greatly exceed the anticircumvention statute's "minor or insignificant processing" limitation (19 U.S.C. § 1677j). It would be an improper expansion of U.S. anti-circumvention law for the Department to conclude otherwise.

The U.S. solar industry has faced unprecedented challenges over the past two years, including Covid-related supply chain delays, an anonymous anti-circumvention petition, allegations of forced labor in the solar supply chain, and increasing raw material prices.

Thanks to the leadership of President Biden and Congress, however, the industry is growing once more and a U.S. solar manufacturing renaissance is underway. The Biden administration has taken important steps to improve supply chains and deploy solar energy. Enacting the Inflation Reduction Act (IRA) has already resulted in billions of dollars in new solar manufacturing investments.

The industry also has made remarkable progress decoupling its supply chain from regions associated with forced labor, work commenced by SEIA more than two years ago. Many companies have adopted SEIA's Traceability Protocol and dozens of related independent audits have been conducted. The U.S. government has also directly verified leading solar importers' compliance with the Hoshine Withhold Release Order and work is underway to verify compliance with the Uyghur Forced Labor Prevention Act. SEIA is unequivocal that companies must fully comply with U.S. forced labor laws and be able to trace their supply chains.

An affirmative determination in this investigation, or any further delay, however, would create new uncertainty for American solar businesses, stifle deployment, and limit American solar jobs. It would also undercut efforts to address the existential threat of climate change. With the ink barely dry on the historic IRA, to reverse course and place additional costs on U.S. solar companies would be entirely counterproductive to the ambitious decarbonization goals established by this administration.

Our clean energy future, our energy security, and America's prosperity all depend on the Department making the right determination in this case. We urge you to issue a negative preliminary determination and ensure the U.S. solar industry can continue to deliver economic and environmental benefits for years to come.

Sincerely,

Adapture Renewables, Inc
Aerocompact
AES
Affordable Solar
Alder Energy Systems
Alternative Energy Southeast, Inc.
Altus Power Management, LLC
Ameresco
American Solar & Roofing
American Wire Group
Amicus Solar Cooperative
Anderson Optimization
Arevon Energy
Arizona Solar Energy Industries
Association (AriSEIA)
Array Technologies, Inc.
Associated Energy Developers
Aten Solar
Avantus
AZTEC Engineering Group, Inc.
Birch Creek Development
Black & Veatch Corporation
Black Bear Energy Inc.
Bluewave Ma, LLC
Borrego Energy, LLC
Boviet Solar
Bright Power
Brightcore Energy
BrightNight
Buglet Solar Electric
Canadian Solar (USA) Inc.
Capital Power Corporation
Cardinal Investment Company, Inc.
Carolina Mountain Solar
Carolina Solar Energy, LLC
CED Greentech HQ
Centrica
CEP Renewables LLC
Chaberton Energy
ChargeNet Stations
Chint Power Systems America
CleanCapital
Colite Technologies
CollectiveSun, LLC
ConnectGen LLC
Construction Innovations
CS Energy
CSG Developers LLC dba
Commercial Solar Guy
Current Home Inc
Custom Solar Solutions
CVE North America, Inc.
Cypress Creek Renewables
D.E. Shaw & Co., L.P.
DCE Solar, LLC
dGEN Energy Partners
Distributed Sun LLC
DNV Energy USA, Inc.
Doral Renewables LLC
Earthtech Enterprise Inc
EcoFasten Solar
Ecogy Energy
EDF Renewables
EDP Renewables North America
EE North America LLC
Empower Energies Clean
Infrastructure LLC
Encore Renewable Energy
Enel Green Power North America,
Inc.
EnergieaWorks
Energy Concepts
Energy Intelligence Partners
Energy Toolbase Software, Inc.
EnergySage
ENGIE North America
Esdec Solar Group
Excite Energy
Fire Mountain Solar LLC

FlexGen
Flywheel Development LLC
ForeFront Power Development LLC
Freedom Forever
FTC Solar Inc.
Fundamental Renewables
General Stamping & Metalworks
Good Faith Energy
Green Bee Solar LLC
Green Street Power Partners, LLC
Greenbacker Capital
GreenFront Energy Partners
GreenPenny Bank
Greentech Renewables
GRID Alternatives
Halo Energy Partners
Hecate Energy
hep Energy USA Holdings Inc.
Hexagon Energy, LLC
High Impact Solar
Homeland Solar
HSI Solar
HST Technologies Inc. (HST)
Hyundai Energy Solutions America
ibV Energy Partners
Idemitsu Renewables
IEA - Infrastructure and Energy
Alternatives
Impact Power Solutions
Industrial Sun LLC
Infinigen Renewables
Infinity Energy
Inovateus Solar LLC
INTY POWER
Invenergy LLC
IronRidge
Jones Power, LLC
K2 Systems LLC
Kendall Sustainable Infrastructure

Keystone Power Holdings
Kinematics
King Energy
Kiterocket
LevelTen Energy
LGCY Power
Lightsource bp
LightWave Solar Electric LLC
MassAmerican Energy LLC
McCarthy Building Companies Inc.
McCauley Lyman
McKinstry
Minnesota Solar Energy Industries
Association
Monroe Nine Fasteners, LLC
Morse Associates, Inc.
Mortenson
Mynt Systems
Namaste Solar
Naturgy Renewables USA
Nautilus Solar Energy, LLC
Nelnet Renewable Energy
Net Zero Solar
Nevados Engineering, Inc.
New Energy Equity, LLC
New Leaf Energy
Newport Solar
Nexamp, Inc.
Nextracker, Inc.
Noria Energy
Norwich Solar Technologies
NRG Systems
Obodo Energy Partners, LLC
OMCO Solar
Open Road Renewables
Optimum Solar Group
Orange Mountain Energy
Oriden Power
Origis Energy

PanelClaw, Inc
Parasol Structures Inc
PCL Construction Enterprises Inc.
Pfister Energy
Pine Gate Renewables, LLC
Pivot Energy
Planea Energia
PNE USA
POWER Engineers, Inc.
Prologis
Pure Power Contractors Inc
Quantum DPI Group Inc
Redeux Energy
Renesola Power Holdings
RENEW Wisconsin
Renewable Energy Vermont
RES (Renewable Energy Systems)
Revamp Engineering, Inc.
Rhino-Eco
RIC Development, LLC
RWE Renewables Americas
Saguaro Solar
Savion, LLC
SB Energy DevCo (US), Inc.
SCARLET Solar
Segue Sustainable Infrastructure
Seminole Financial Services
Senergy Technical Services (USA)
LLC
Shine Development Partners
Shoals Technologies Group
Sigora Solar
SimpleRay, LLC
Skyline Renewables, LLC
Sofos Harbert Renewable Energy
Sol Systems LLC
Solamerica Energy, LLC
Solar Energy Industries Association
Solar Energy Services, Inc.
Solar FlexRack
Solar Landscape LLC
Solar Liberty
Solar Power Midwest
Solar Renewable Energy, LLC
Solar Source
Solar States
Solariant Capital, LLC
Solaris Energy
Solaris Global
Solartag Inc.
Soleo Energy Consulting
Soltage LLC
SOLTEC America LLC
SOLV Energy
Sonnex Kingbird, Inc
Southern Current
Spark
Standard Solar
Stem
StraightUp Solar
Sun Wind Solutions
SunEarth, Inc.
Sungenix Energy Solutions
Sunnova Energy Corporation
Sunpower Corporation
SunRenu Solar LLC
Sunrise Power Solutions
Sunrise Solar, Inc.
Sunrun
Suntech Solar
Sunwest Bank
SUNworks Inc.
SynerGen Solar, LLC
Talva Energy
Tenaska
The Megawatt Group
TMI Energy Solutions
TotalEnergies Renewables USA, LLC

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TrackerSled
TransWorld Developers and
Constructors Inc
Trina Solar Limited
Trinity Solar
TRITEC Americas
Ulteig Engineers, Inc.
US Solar

Valmont Solar
Valta Energy
Vanguard Energy Partners, LLC
Velo Solar
Verde Solutions LLC
Wood PLC
X-Elio Energy