

September 2021



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

Dear Secretary Raimondo,

We are writing to emphasize the immediate and serious threat posed to the U.S. solar industry from the anonymous circumvention petitions recently filed against solar cell and panel imports from Malaysia, Thailand, and Vietnam.

The massive duties called for in these petitions, ranging from 50% to as high as 250%, are already having an adverse impact on the U.S. solar industry and, if implemented, would devastate the industry and each of our individual companies. Our nation's ability to effectively address climate change and fuel sustained economic growth relies on rapid deployment of solar and clean energy in the next 2-3 years. The petitions put this growth at severe risk and threaten the livelihoods of more than 230,000 American solar workers. We urge you to use your authority and decline the anonymous petitioners' request to initiate circumvention investigations.

The Department of Commerce has broad discretion regarding circumvention petitions, see 19 U.S.C. § 1677j(b)(1). We believe this is particularly true when the Department is faced with serious procedural concerns, such as the case here.

The petitioners' characterization of the CSPV cell and panel production process as minor or insignificant directly contradicts what domestic solar manufacturers have represented to the U.S. government in every solar trade remedy case over the past decade, including the ongoing Section 201 extension investigation. The petitions are also designed to avoid a full and fair inquiry into whether CSPV cell and panel imports from Malaysia, Vietnam, and Thailand are actually subsidized or sold to the United States at less than fair value.

These anonymous companies are also trying to avoid the requirement to establish harm from imports during a full U.S. International Trade Commission (USITC) investigation and public hearing before the USITC Commissioners, and conveniently exclude domestic panel manufacturers' own solar cell and panel imports from Malaysia and Vietnam. Commerce should not allow this backdoor attempt to overturn longstanding Department precedent and avoid a full review of important procedural factors.

We cannot emphasize enough how damaging these tariffs would be to our companies and the entire American solar industry. We urge you to use your discretion and reject these petitions, thereby avoiding significant harm to both the U.S. solar industry and our nation's ability to meet President Biden's decarbonization goals.

Sincerely,

174 Power Global Corp.
8minute Solar Energy
A and R Solar SPC
AC Power, LLC
Accelergen Energy

AceClamp/PMC Industries, Inc.
Adapture Renewables, Inc.
Advanced Energy Solutions dba AES Solar
Aegis Renewable Energy
Affordable Solar

Alabama Solar Industry Association
Alder Energy Systems
Algonquin Power & Utilities Corp.
All Sky Energy, LLC
Amicus Solar Cooperative
AMP Solar Group, Inc.
AP Alternatives, LLC
Aptos Solar Technology, LLC
Arch Electric, Inc.
Arevon
Arizona Solar Energy Industries
Association (AriSEIA)
Atlasta Solar Center
BayWa r.e. US
Black & Veatch Corporation
Black Bear Energy Inc.
Blattner Energy, Inc.
Borrego
Bridgelink Investments
Brooklyn Solarworks
BW Solar Holding Inc.
C-TEC Solar, LLC
California Solar Electric Company
Capital Sun Group, Ltd.
Carlson Electric, LLC
Carolina Solar Energy, LLC
Catalyze
CED Greentech
Chaberton Energy
Clean Energy Associates
CleanCapital
Colite Technologies
Colorado Solar & Storage Association
(COSSA)
Community Power Group
Convergent Energy + Power
Construction Innovations, LLC
Core Development Group
Creative Energies
CS Energy
Cypress Creek Renewables
D.E. Shaw Renewable Investments
Dakota Power Partners
DG+ Design
Distributed Sun, LLC
Dynamic Energy Solutions, LLC
Eagle Point Solar
EcoPlexus, Inc.
EDF Renewables
Encore Renewable Energy
Energy Intelligence Partners
EnergySage
ENGIE North America
Envinity, Inc.
Esdec BV
Estriatus Law
FAFCO, Inc.
Fire Mountain Solar, LLC
Flywheel Development, LLC
ForeFront Power Development, LLC
Freedom Forever
FTC Solar Inc.
Geoscape Solar
GH American Energy, LLC
Glenvale, LLC
Good Faith Energy
GRID Alternatives
Halo Energy Partners
Hecate Energy
Hep Petra Development, LLC
Hexagon Energy, LLC
Holocene Clean Energy, Inc.
Holu Energy, LLC
Hyundai Energy Solutions America
ICAST
Idahome Solar
Idemitsu Renewables

Impact Power Solutions
Independent Energy Systems, LLC
Infiniti Energy, LLC
Inovateus Solar, LLC
IronRidge
K2 Systems, LLC
Kendall Sustainable Infrastructure
Keystone Power Holdings
Kiterocket
Landscape Design of Goldsboro, Inc.
Lightsource bp
LightWave Solar Electric LLC
Long Island Power Solutions
LONGi Solar Technology (U.S.), Inc.
McCarthy Building Companies, Inc
McCauley Lyman
MDB Equity Partners, LLC
Mission Energy LLC
Mission Solar
Mortenson
Mynt Systems
Namasté Solar
National Grid Renewables
Nautilus Solar Energy, LLC
Net Zero Solar
New Energy Equity
New Jersey Solar Energy Coalition
Newport Solar
Nexamp, Inc.
NM Solar Group, Inc.
North Light Energy, LLC
North Wind Renewable Energy
Cooperative
Norwich Technologies
Orange Mountain Energy
Oriden Power
Origis Energy
Origis Services
Outshine Energy
PanelClaw, Inc.
Petra Energy Holdings
PI Berlin North America, LLC
Pine Gate Renewables, LLC
Pinnacle Roofing Professionals, LLC
Posigen, LLC
POWER Engineers, Inc.
Pure Power Contractors, Inc.
Radius Solis, Inc.
Ravolt, LLC
RBI Solar, Inc.
RENEW Wisconsin
RER Energy Group
ReVision Energy
Roof Tech, Inc.
RWE Renewables Americas, LLC
Samsung C&T America, Inc.
Savion, LLC
SB Energy DevCo (US), Inc.
Seminole Financial Services
Seraphim Energy Goup (SEG)
SGC Power
Shaw Solar
Shell New Energies US, LLC
Shine Development Partners
Sigora Solar
SimpleRay, LLC
Sol Systems, LLC
Solar Design Studio
Solar Energy International
Solar Energy Industries Association
Solar Energy Services, Inc.
Solar States
Solaria Corporation
Solariant Capital, LLC
Solaris Energy
Solas Energy Consulting U.S., Inc.
Solect Energy Development, LLC

Southern Current
Standard Solar
StraightUp Solar
Strata Solar, LLC
Summit Energy Group
Sun Light and Power
Sundance Power Systems
SunEnergy1, LLC
Sungage Financial
Sunnova Energy Corporation
Sunrise Power Solutions
Sunrun, Inc.
SunShare
Sunsense, Inc.
SunStyle
Swinerton Renewable Energy
Talan Products
Technicians for Sustainability
The Horton Group
Tigo Energy, Inc.

Tokyo Gas America Ltd.
Total Energies Renewables USA
TRITEC Americas
UGE USA Inc.
Unirac, Inc.
United Renewable Energy, LLC
US Solar
USFS Industrial
Valley Solar, LLC
Vanguard Energy Partners, LLC
Velo Solar
Verde Solutions, LLC
Vesper Energy
Walden Renewables Development, LLC
Wicks Solar, Inc.
Wilson Sonsini Goodrich & Rosati
Wood PLC
Wtwh Media, LLC
X-Elio Energy