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
Ecofy 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.
EnergeiaWorks
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  
LG CY 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
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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