single-sided, on stationery measuring 81/2x11 inches; and

(4) Within five (5) business days of the filing of the briefs referred to in paragraph (c)(3) of this section, the Director shall hold a conference concerning the issues raised in the briefs.

15. Redesignated § 207.21 is revised to read as follows:

### §207.21 Final Phase Notice of Scheduling

(a) Notice from the administering authority of an affirmative preliminary determination under section 703(b) or section 733(b) of the Act and notice from the administering authority of an affirmative final determination under section 705(a) or section 735(a) of the Act shall be deemed to occur on the date on which the transmittal letter of such determination is received by the Secretary from the administering authority or the date on which notice of such determination is published in the Federal Register, whichever shall first occur.

(b) Upon receipt of notice from the administering authority of an affirmative preliminary determination under section 703(b) or section 733(b) of the Act or, if the administering authority's preliminary determination is negative, notice of an affirmative final determination under section 705(a) or section 735(a) of the Act, the Commission shall publish in the Federal Register a Final Phase Notice of Scheduling.

(c) If the administering authority's preliminary determination is negative, the Director shall continue such investigative activities as he deems appropriate pending a final determination by the administering authority under section 705(a) or section 735(a) of the Act. Upon receipt by the Commission of notice from the administering authority of its final negative determination under section 705(a) or section 705(a) or section 735(a) of the Act, the corresponding Commission investigation shall be terminated.

16. Redesignated § 207.23 is revised to read as follows:

## §207.23 Prehearing brief.

Each party who is an interested party shall submit to the Commission, no later than four (4) business days prior to the date of the hearing specified in the notice of scheduling, a prehearing brief. Prehearing briefs shall be signed, shall include a table of contents, and shall not exceed fifty (50) pages of textual material, double spaced and singlesided, on stationery measuring  $8\frac{1}{2} \times 11$ inches. The prehearing brief should present a party's case concisely and shall, to the extent possible, refer to the record and include information and arguments which the party believes relevant to the subject matter of the Commission's determination under section 705(b) or section 735(b) of the Act. Any person not an interested party may submit a brief written statement of information pertinent to the investigation within the time specified for filing of prehearing briefs.

17. Redesignated § 207.25 is revised to read as follows:

#### §207.25 Posthearing briefs.

Any party may file a posthearing brief concerning the information adduced at or after the hearing with the Secretary within a time specified in the notice of scheduling or by the presiding official at the hearing. No such posthearing brief shall exceed fifteen (15) pages of textual material, double spaced and single sided, on stationery measuring  $8^{1/2} \times 11$ inches. In addition, the presiding official may permit persons to file answers to questions or requests made by the Commission at the hearing within a specified time. The Secretary shall not accept for filing posthearing briefs or answers which do not comply with this section.

18. Redesignated § 207.29 is revised to read as follows:

# § 207.29 Publication of notice of determination.

Whenever the Commission makes a final determination, the Secretary shall serve copies of the determination and the nonbusiness proprietary version of the final staff report on the petitioner, other parties to the investigation, and the administering authority. The Secretary shall publish notice of such determination in the Federal Register.

19. Except for § 207.46, the interim rules amending part 207 published in the Federal Register issue of January 3, 1995 at 60 FR 18 are proposed to be adopted as final, with the following changes:

a. Section 207.10 is revised to read as follows:

### §207.10 Filing of petition with the Commission.

(a) Filing of the petition. Any interested party who files a petition with the administering authority pursuant to section 702(b) or section 732(b) of the Act in a case in which a Commission determination under title VII of the Act is required, shall file copies of the petition, pursuant to § 201.8 of this chapter, with the Secretary on the same day the petition is filed with the administering authority. If the petition complies with the provisions of § 207.11, it shall be deemed to be properly filed on the date on which the requisite number of copies of the petition is received by the Secretary. The Secretary shall notify the administering authority of that date. Notwithstanding § 201.11 of this chapter, a petitioner need not file an entry of appearance in the preliminary phase of the investigation instituted upon the filing of its petition, which shall be deemed an entry of appearance.

(b) Service of the petition. (1) The Secretary shall promptly notify a petitioner when, before the establishment of a service list under §207.7(a)(4), he or she approves an application under § 207.7(a). When practicable, this notification shall be made by facsimile transmission. A copy of the petition including all business proprietary information shall then be served by petitioner on those approved applicants in accord with § 207.3(b) within two (2) calendar days. The petitioner shall serve persons enumerated on the list established by the Secretary pursuant to §207.7(a)(4) (not already served) within two (2) calendar days of the establishment of the Secretary's list. Service shall be attested by a certificate of service as required in  $\S201.16(c)(2)$  of this chapter.

(2) A copy of the petition omitting business proprietary information shall be served by petitioner on those persons enumerated on the list established by the Secretary pursuant to  $\S 201.11(d)$  of this chapter within two (2) calendar days of the establishment of the Secretary's list.

(c) Amendments and withdrawals; critical circumstances. (1) Any amendment or withdrawal of a petition shall be filed on the same day with both the Secretary and the administering authority, without regard to whether the requester seeks action only by one agency.

(2) When not made in the petition, any allegations of critical circumstances under section 703 or section 733 of the Act shall be made in an amendment to the petition and shall be filed as early as possible. Critical circumstances allegations, whether made in the petition or in an amendment thereto, shall contain information reasonably available to petitioner concerning the factors enumerated in sections 705(b)(4)(A) and 735(b)(4)(A) of the Act.

b. Section 207.11 is revised to read as follows:

### §207.11 Contents of petition.

(a) The petition shall be signed by the petitioner or its duly authorized officer, attorney, or agent, and shall set forth the