

International Trade Administration

[A-580-809]

Circular Welded Non-Alloy Steel Pipe From Korea: Notice of Final Court Decision and Amended Final Determination

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of final court decision and amended final determination.

SUMMARY: On August 11, 1995, in the case of *Laclede Steel Co. v. United States*, Cons. Ct. No. 92-12-00784, Slip Op. 95-144 ("Laclede"), the United States Court of International Trade (the Court) affirmed the Department of Commerce's (the Department's) results of redetermination on remand of the final determination of sales at less than fair value of circular welded non-alloy steel pipe from Korea. As there is now a final and conclusive court decision in this action, we are amending our final determination in this matter and will instruct the U.S. Customs Service to change cash deposit rates accordingly.

EFFECTIVE DATE: November 3, 1995.

FOR FURTHER INFORMATION CONTACT: Erik Warga, Office of Antidumping Investigations, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C. 20230, telephone: (202) 482-0922.

SUPPLEMENTARY INFORMATION:

Background

On September 17, 1992, the Department published its final determination of sales at less-than-fair-value. Final Determination of Sales at Less Than Fair Value: Circular Welded Non-Alloy Steel Pipe From the Republic of Korea, 57 FR 42942 (Sept. 17, 1992). On November 2, 1992, the Department published its amendment to the final determination of sales at less-than-fair-value. Notice of Antidumping Orders: Certain Circular Welded Non-Alloy Steel Pipe from Brazil, the Republic of Korea, Mexico, and Venezuela, and Amendment to Final Determination of Sales at Less Than Fair Value: Circular Welded Non-Alloy Steel Pipe From the Republic of Korea, 57 FR 49453 (Nov. 2, 1992).

Subsequent to the Department's final determination, petitioners and three of the investigated companies filed lawsuits with the Court challenging this determination. Thereafter, the Court issued an Order and Opinion dated October 12, 1994, in *Laclede Steel Co. v. United States*, Cons. Ct. No. 92-12-

00784, Slip Op. 94-160, remanding three issues to the Department. The Court instructed the Department to (1) reconsider its original determination that certain overrun pipe sales were within the ordinary course of trade; (2) grant duty drawback adjustments on all U.S. sales, including those compared to constructed value; and (3) conduct a correlation test, utilizing only the price factor, to determine whether there was a correlation between price and levels of trade for the subject merchandise.

The Department filed its remand results on March 3, 1995. On March 9, 1995, the Department filed amended results to correct certain typographical errors. In the remand results, the Department found the overrun pipe sales at issue to be outside the ordinary course of trade. In accordance with the Court's instructions, the Department granted adjustments for duty drawback for all U.S. sales. Additionally, as the results of the correlation test were inconclusive, the Department calculated foreign market value without regard to level of trade.

On August 11, 1995, the Court sustained the Department's remand results. See *Laclede Steel Co. v. United States*, Cons. Ct. No. 92-12-00784, Slip Op. 95-144 (CIT Aug. 11, 1995).

On September 1, 1995, the Department published a notice of court decision pursuant to 19 U.S.C. 1516a(e). Court Decision and Suspension of Liquidation: Circular Welded Non-Alloy Steel Pipe From Korea, 60 FR 45700 (Sept. 1, 1995). In that notice, we stated that we would suspend liquidation until there was a "conclusive" decision in the action. Since publication of that notice, the domestic industry has filed an appeal challenging the Court's order granting intervention to two Korean producers of the subject merchandise. No other appeal was filed. Since the domestic industry's appeal challenges a decision of the Court which is not a decision "not in harmony" with the agency's decision, there is now a "conclusive" decision in this action.

Amendment to Final Determination

Pursuant to 19 U.S.C. 1516a(e), we are now amending the final determination in circular welded non-alloy steel pipe from Korea.

The recalculated weighted-average dumping margins are as follows:

Manufacturer/producer/exporter	Margin (percentage)
Hyundai Steel Pipe Co., Ltd	4.62
Korea Steel Pipe Co., Ltd	4.08
Masan Steel Tube Co.	11.63

Manufacturer/producer/exporter	Margin (percentage)
Pusan Steel Pipe Co., Ltd	5.35
All others	4.80

The Department will instruct the U.S. Customs Service to change the cash deposit requirements in accordance with the above rates.

Dated: October 30, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration

[FR Doc. 95-27354 Filed 11-2-95; 8:45 am]

BILLING CODE 3510-DS-P

National Telecommunications and Information Administration

Advisory Council on the National Information Infrastructure

AGENCY: National Telecommunications and Information Administration (NTIA), Commerce.

ACTION: Notice of open meeting. Notice is hereby given of a meeting of the United States Advisory Council on the National Information Infrastructure, created pursuant to Executive Order 12864, as amended.

SUMMARY: The President established the Advisory Council on the National Information Infrastructure (NII) to advise the Secretary of Commerce on matters related to the development of the NII. In addition, the Council shall advise the Secretary on a national strategy for promoting the development of the NII. The NII will result from the integration of hardware, software, and skills that will make it easy and affordable to connect people, through the use of communication and information technology, with each other and with a vast array of services and information resources. Within the Department of Commerce, the National Telecommunications and Information Administration has been designated to provide secretariat services to the Council.

DATES: The NII Advisory Council public teleconference will be held on Monday, November 20, 1995 from 2:00 p.m. until 5:00 p.m.

ADDRESSES: The NII Advisory Council teleconference meeting will take place in the Forum 2 Conference Room, 1320 North Courthouse Road., Arlington, VA 22201.

FOR FURTHER INFORMATION CONTACT: Ms. Elizabeth Lyle, Designated Federal Officer for the Advisory Council on the National Information Infrastructure, National Telecommunications and