

importer. We will direct Customs to assess the resulting percentage margin against the entered customs values for the subject merchandise on each of that importer's entries under the relevant order during the review period. See 19 CFR 351.212(b)(1).

### Cash-Deposit Requirements

To calculate the cash-deposit rate for each respondent (*i.e.*, each exporter and/or manufacturer included in these reviews), we divided the total dumping margins for each company by the total net value of that company's sales of merchandise during the review period subject to each order.

To derive a single deposit rate for each respondent, we weight-averaged the EP and CEP deposit rates (using the EP and CEP, respectively, as the weighting factors). To accomplish this when we sampled CEP sales, we first calculated the total dumping margins for all CEP sales during the review period by multiplying the sample CEP margins by the ratio of total days in the review period to days in the sample weeks. We then calculated a total net value for all CEP sales during the review period by multiplying the sample CEP total net value by the same ratio. Finally, we divided the combined total dumping margins for both EP and CEP sales by the combined total value for both EP and CEP sales to obtain the deposit rate.

We will direct Customs to collect the resulting percentage deposit rate against the entered customs value of each of the exporter's entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice. Entries of parts incorporated into finished bearings before sales to an unaffiliated customer in the United States will receive the respondent's deposit rate applicable to the order.

Furthermore, the following deposit requirements will be effective upon publication of this notice of final results of administrative reviews for all shipments of ball bearings entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) The cash-deposit rates for the reviewed companies will be the rates shown above except that, for firms whose weighted-average margins are less than 0.5 percent and, therefore, *de minimis*, the Department will not require a deposit of estimated antidumping duties; (2) for previously reviewed or investigated companies not listed above, the cash-deposit rate will continue to be the company-specific rate published for

the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation but the manufacturer is, the cash-deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash-deposit rate for all other manufacturers or exporters will continue to be the "All Others" rate for the relevant order made effective by the final results of review published on July 26, 1993. See *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, et al: Final Results of Antidumping Duty Administrative Reviews and Revocation in Part of an Antidumping Duty Order*, 58 FR 39729 (July 26, 1993). These "All Others" rates are the "All Others" rates from the relevant LTFV investigation.

These deposits requirements shall remain in effect until publication of the final results of the next administrative reviews.

This notice serves as a reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during these review periods. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely notification of the return of destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO are sanctionable violations.

We are issuing and publishing these determinations in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: June 9, 2003.

**Jeffrey May,**

*Acting Assistant Secretary for Import Administration.*

### Appendix

#### Comments and Responses

1. Model Matching
2. Margin-Calculation Methodology
3. CV Profit
4. Price Adjustments
  - A. Direct and Indirect Selling Expenses
  - B. Discounts and Rebates
  - C. CEP Profit
5. Level of Trade

6. Sample Sales, Prototype Sales, and Sales Outside the Ordinary Course of Trade
7. Movement Expenses
8. Cost Issues
9. Miscellaneous
  - A. Facts Available
  - B. Separate Assessment Rates
  - C. Revocation
  - D. Arm's-Length Test
  - E. Resellers

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-823-808]

#### Certain Cut-to-Length Carbon Steel Plate From Ukraine; Final Results of Administrative Review of the Suspension Agreement and Determination Not To Terminate

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

**ACTION:** Notice of Final Results of the Administrative Review of the Suspension Agreement on Certain Cut-to-Length Carbon Steel Plate from Ukraine and Determination Not to Terminate.

**SUMMARY:** On December 9, 2002, the Department of Commerce (the Department) published the preliminary results of administrative review of the suspension agreement on certain cut-to-length carbon steel plate from Ukraine (the Agreement). See *Notice of Preliminary Results of the Administrative Review of the Suspension Agreement on Certain Cut-to-Length Carbon Steel Plate from Ukraine*, 67 FR 72916 (December 9, 2002) (*Preliminary Results*). The merchandise covered by this administrative review is certain cut-to-length carbon steel plate as described in the "Scope of the Review" section of this **Federal Register** notice. The period of review (POR) is November 1, 2000 through October 31, 2001. In these final results, we have determined that Azovstal Iron and Steel Works (Azovstal), Ilyich Iron and Steel Works (Ilyich), and the Government of Ukraine (collectively, respondents) have complied with the terms of the Agreement. However, we are not terminating the Agreement or the underlying investigation, pursuant to section 351.222(b)(1)(i)(B) of the Department's regulations, because the continued maintenance of the Agreement is necessary to offset dumping.

**EFFECTIVE DATE:** June 16, 2003.

**FOR FURTHER INFORMATION CONTACT:**

Patricia Tran or Robert James, AD/CVD Enforcement Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482-1121 or (202) 482-0649, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Department conducted verification on March 13, 2003, through March 26, 2003. We verified the GOU's responses at the offices of the Ministry of Economy in Kiev, Ukraine on March 13 and 14, 2003; the Department's verifiers then traveled to Mariupol and Donetsk, Ukraine to verify the information submitted by Ilyich and Azovstal from March 17 through 20, 2003. Finally, the Department verified relevant information pertaining to sales made by Azovstal through an affiliated trading company, Leman Commodities. This last portion of the verification took place at Leman's sales offices in Donetsk, Ukraine on March 21, 2003, and at Leman's corporate headquarters in Geneva, Switzerland on March 24 and 25, 2003. We issued the verification report on May 2, 2003.

We invited parties to comment on our *Preliminary Results*. We received a case brief from Azovstal and Ilyich on May 13, 2003. Petitioners, Bethlehem Steel Corporation and United States Steel Corporation, filed their rebuttal brief on May 19, 2003.

**Scope of Review**

The products covered by this agreement include hot-rolled iron and non-alloy steel universal mill plates (*i.e.*, flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 mm but not exceeding 1250 mm and of a thickness of not less than 4 mm, not in coils and without patterns in relief), of rectangular shape, neither clad, plated nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances; and certain iron and non-alloy steel flat-rolled products not in coils, of rectangular shape, hot-rolled, neither clad, plated, nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances, 4.75 mm or more in thickness and of a width which exceeds 150 mm and measures at least twice the thickness. Included as subject merchandise in this Agreement are flat-rolled products of nonrectangular cross-

section where such cross-section is achieved subsequent to the rolling process (*i.e.*, products which have been "worked after rolling") for example, products which have been beveled or rounded at the edges. This merchandise is currently classified in the Harmonized Tariff Schedule of the United States (HTS) under item numbers 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000. Although the HTS subheadings are provided for convenience and customs purposes, the written description of the scope of this Agreement is dispositive. Specifically excluded from subject merchandise within the scope of this Agreement is grade X-70 steel plate.

**Analysis of Comments Received**

All issues raised in the case and rebuttals briefs by parties to this administrative review are addressed in the "Issues and Decision Memorandum" (Decision Memorandum) from Barbara Tillman, Acting Deputy Assistant Secretary for Import Administration to Joseph A. Spetrini, Acting Assistant Secretary for Import Administration, dated June 6, 2003, which is hereby adopted by this notice. Azovstal and Ilyich submitted a single comment requesting termination of the Agreement and the suspended antidumping investigation. Parties can find a complete discussion of termination of the Agreement and the underlying investigation and the corresponding recommendations in the public Decision Memorandum which is on file in room B-099 of the main Department of Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Internet at <http://www.ia.ita.doc.gov>. The paper copy and electronic version of the Decision Memorandum are identical in content.

**Final Results of Review**

For the reasons described in the Decision Memorandum, the Department has determined not to terminate the Agreement or underlying investigation.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act.

Dated: June 6, 2003.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**[A-588-862]**

**Notice of Preliminary Determination of Sales at Less Than Fair Value: High and Ultra-High Voltage Ceramic Station Post Insulators from Japan**

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

**EFFECTIVE DATE:** June 16, 2003.

**FOR FURTHER INFORMATION CONTACT:**

Timothy Finn at (202) 482-0065 or Michele Mire at (202) 482-4711, AD/CVD Enforcement Office 4, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

**Preliminary Determination**

We preliminarily determine that high and ultra-high voltage ceramic station post insulators (HVSPs) from Japan are being sold, or are likely to be sold, in the United States at less than fair value (LTFV), as provided in section 733 of the Tariff Act of 1930, as amended (the Act). The estimated margin of sales at LTFV is shown in the *Suspension of Liquidation* section of this notice.

**Case History**

This investigation was initiated on January 21, 2003.<sup>1</sup> See *Notice of Initiation of Antidumping Duty Investigation: High and Ultra-High Voltage Ceramic Station Post Insulators from Japan*, 68 FR 4169 (January 28, 2003) (*Initiation Notice*). Since the initiation of the investigation, the following events have occurred.

On February 13, 2003, the United States International Trade Commission (ITC) preliminarily determined that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from Japan of HVSPs. See *Certain*

<sup>1</sup> The petitioners in this investigation are Lapp Insulator Company LLC (Lapp), Newell Porcelain Co., Inc. (Newell), Victor Insulators, Inc. (Victor), and the IUE Industrial Division of the Communications Workers of America, the union representing employees of Lapp (collectively, the petitioners).