

351.221, the Department initiated this changed circumstances review of the CVD order to determine whether Hyundai is the successor-in-interest to INI. In the context of changed circumstances reviews of an AD order involving, **E.G.**, a change in a company's name, structure or ownership, the Department relies on its successor-in-interest analysis to determine whether the newly named or structured company remains essentially the same as the predecessor company. *See, e.g., Notice of Final Results of Antidumping Duty Changed Circumstances Review; Certain Forged Stainless Steel Flanges From India*, 71 FR 31156 (June 1, 2006), **CITING INDUSTRIAL PHOSPHORIC ACID FROM ISRAEL; FINAL RESULTS OF ANTIDUMPING DUTY CHANGED CIRCUMSTANCES REVIEW**, 59 FR 6944, 6945 (February 14, 1994). If the evidence demonstrates that, with respect to the production and sale of the subject merchandise, the successor company operates as the same business entity as its predecessor, the Department will assign the successor the existing cash deposit rate of its predecessor.

For similar changed circumstances in a CVD order, the appropriate focus of the analysis for determining the cash deposit rate for a successor company is usually whether the successor company operates as the same business entity as its predecessor. For such determinations in the context of a CVD order, however, such an analysis may not always be sufficient, in itself, to determine whether it is appropriate to assign the predecessor's CVD cash deposit rate to the successor where the circumstances indicate that a change relevant to the subsidy analysis may have occurred. We do not find, however, that there are any such circumstances in the instant review, such as a privatization or sale of a company, that would warrant going beyond the Department's standard successor-in-interest analysis. In the instant proceeding, we are only examining a change in the name of the company. Further, Hyundai has presented evidence establishing that its change in corporate name from INI to Hyundai did not affect the company's operations such that they are materially different to those of its predecessor. *See* Hyundai's March 22, 2006, submission at Exhibits 2 through 4; *see also* Hyundai's April 11, 2006, submission at page 3 and Exhibit 7. The evidence indicates that Hyundai has essentially the same corporate structure and operations as INI.

Therefore, based on the record evidence, and consistent with the Department's findings in the *AD Changed Circumstances Preliminary Results*, we preliminarily determine that

the current cash deposit rate applicable to INI shall be applicable to entries of subject merchandise made by Hyundai, entered on or after the publication date of the final results of this changed circumstances review. Thus, if these preliminary results are adopted in the final results of this changed circumstances review, we will instruct U.S. Customs and Border Protection to collect a cash deposit at the rate of 0.54 percent *ad valorem* on all entries of SSSS produced and exported by Hyundai on or after the publication of the final results of this review. This cash deposit rate shall remain in effect until publication of the final results of the next administrative review in which Hyundai participates.

In addition, the Department intends to further consider the issue of whether alternative or additional successorship criteria would be appropriate in the CVD context, and therefore, the Department anticipates releasing a separate **Federal Register** notice shortly hereafter inviting parties to submit public comments on the issue.

Public Comment

Interested parties are invited to comment on these preliminary results. Any written comments may be submitted no later than 14 days after date of publication of this notice. Rebuttal briefs, limited to arguments raised in case briefs, are due five days after the case brief deadline. Case briefs and rebuttal briefs must be served on interested parties in accordance with 19 CFR 351.309. In accordance with 19 CFR 351.216(e), the Department will publish the final results of the changed circumstances review including the results of its analysis of any issues raised in any such comments within 270 days after the date on which the changed circumstances review was initiated.

This notice is in accordance with section 751(b)(1) of the Act and 19 CFR 351.216 and 351.221.

Dated: December 12, 2006.

David M. Spooner,

Assistant Secretary for Import Administration.
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DEPARTMENT OF COMMERCE

International Trade Administration

North American Free-Trade Agreement, Article 1904; NAFTA Panel Reviews; Completion of Panel Review

AGENCY: NAFTA Secretariat, United States Section, International Trade

Administration, Department of Commerce.

ACTION: Notice of Completion of Panel Review of the final injury determination made by the U.S. International Trade Commission, in the matter of Magnesium from Canada, Secretariat File No. USA-CDA-00-1904-09.

SUMMARY: Pursuant to the Order of the Binational Panel dated October 6, 2006, affirming the final remand determination described above, the panel review was completed on November 17, 2006.

FOR FURTHER INFORMATION CONTACT: Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

SUPPLEMENTARY INFORMATION: On October 6, 2006, the Binational Panel issued an order which affirmed the final determination of the United States International Trade Commission (ITC) concerning Magnesium from Canada Injury Determination. The Secretariat was instructed to issue a Notice of Completion of Panel Review on the 31st day following the issuance of the Notice of Final Panel Action, if no request for an Extraordinary Challenge was filed. No such request was filed. Therefore, on the basis of the Panel Order and Rule 80 of the *Article 1904 Panel Rules*, the Panel Review was completed and the panelists discharged from their duties effective November 17, 2006.

Dated: December 14, 2006.

Caratina L. Alston,

United States Secretary, NAFTA Secretariat.

[FR Doc. E6-21620 Filed 12-18-06; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

North American Free-Trade Agreement, Article 1904 NAFTA Panel Reviews; Request for Panel Review

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of First Request for Panel Review.

SUMMARY: On November 27, 2006, the Northwest Fruit Exporters filed a First Request for Panel Review with the Mexican Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Panel review was requested of the final revocation of the antidumping investigation, respecting