

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.*  
[FR Doc. E6-21634 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; 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.*

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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

the Importation of Various Red Delicious Table Apples, Its Variations, and Golden Delicious Apples Originating From The United States of America, Classified In Tariff item 08.08.10.01 This determination was published in the *Diario Oficial de la Federacion*, on November 2, 2006. The NAFTA Secretariat has assigned Case Number MEX-USA-2006-1904-02 to this request.

**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:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent bi-national panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686).

A first Request for Panel Review was filed with the Mexican Section of the NAFTA Secretariat, pursuant to Article 1904 of the Agreement, on November 27, 2006, requesting panel review of the final determination described above.

The Rules provide that:

(a) a Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 39 within 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is December 27, 2006);

(b) a Party, investigating authority or interested person that does not file a Complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a Notice of Appearance in accordance with Rule 40 within 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is January 22, 2007); and

(c) the panel review shall be limited to the allegations of error of fact or law,

including the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and the procedural and substantive defenses raised in the panel review.

Dated: December 12, 2006.

**Caratina L. Alston,**

*United States Secretary, NAFTA Secretariat.*

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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

[Docket Number: 061128312-6312-01]

#### Precision Measurement Grants Program; Availability of Funds

**AGENCY:** National Institute of Standards and Technology, Commerce.

**ACTION:** Notice.

**SUMMARY:** The National Institute of Standards and Technology (NIST) announces that the Precision Measurement Grants Program is soliciting applications for financial assistance for FY 2007. The Precision Measurement Grants Program is seeking proposals for significant research in the field of fundamental measurement or the determination of fundamental constants.

**DATES:** Abbreviated proposals must be received at the address listed below no later than 5 p.m. Eastern Standard Time on February 2, 2007. Proposals received after this deadline will be returned with no further consideration. Finalists will be selected by approximately March 23, 2007, and will be requested to submit full proposals to NIST. All full proposals, paper and electronic, must be received no later than 5 p.m. Eastern Daylight Time on May 4, 2006.

**ADDRESSES:** Abbreviated proposals and paper applications must be submitted to: Dr. Peter J. Mohr; Manager, NIST Precision Measurement Grants Program; National Institute of Standards and Technology; 100 Bureau Drive, Stop 8420; Gaithersburg, MD 20899-8420; E-mail: [mohr@nist.gov](mailto:mohr@nist.gov). Electronic final proposals should be uploaded to [Grants.gov](http://Grants.gov).

**FOR FURTHER INFORMATION CONTACT:** For complete information about this program and instructions for applying by paper or electronically, read the Federal Funding Opportunity (FFO) Notice at <http://www.grants.gov>. A paper copy of the FFO may be obtained by calling (301) 975-6328. Technical

questions should be addressed to: Dr. Peter J. Mohr at the address listed in the Addresses section above, or at Tel: (301) 975-3217; E-mail: [mohr@nist.gov](mailto:mohr@nist.gov); Web site: <http://physics.nist.gov/pmg>. Grants Administration questions should be addressed to: Grants and Agreements Management Division; National Institute of Standards and Technology; 100 Bureau Drive, Stop 1650; Gaithersburg, MD 20899-1650; Tel: (301) 975-6328. For assistance with using Grants.gov contact [support@grants.gov](mailto:support@grants.gov).

**SUPPLEMENTARY INFORMATION:** *Catalog of Federal Domestic Assistance Name and Number:* Measurement and Engineering Research and Standards—11.609.

**Program Description:** The National Institute of Standards and Technology (NIST) announces that the *Precision Measurement Grants Program* is soliciting applications for financial assistance for FY 2007. The *Precision Measurement Grants Program* is seeking proposals for significant research in the field of fundamental measurement or the determination of fundamental constants. As part of its research program, since 1970 NIST has awarded Precision Measurement Grants primarily to universities and colleges so that faculty may conduct significant research in the field of fundamental measurement or the determination of fundamental constants. NIST sponsors these grants and cooperative agreements primarily to encourage basic, measurement-related research in universities and colleges and other research laboratories and to foster contacts between NIST scientists and those faculty members of academic institutions and other researchers who are actively engaged in such work. The Precision Measurement Grants are also intended to make it possible for researchers to pursue new ideas for which other sources of support may be difficult to find. There is some latitude in research topics that will be considered under the *Precision Measurement Grants Program*. The key requirement is that the proposed project is consistent with NIST's ongoing work in the field of basic measurement science.

**Funding Availability:** Applicants should propose multi-year projects for up to three years at no more than \$50,000 per year. NIST anticipates spending \$100,000 this year for two new grants at \$50,000 each for the first year of the research projects. NIST may award both, one, or neither of these new awards. Second and third year funding will be at the discretion of NIST, based on satisfactory performance, continuing