

**IN THE MATTER OF APPLICATION FOR  
SAFEGUARD MEASURE AGAINST THE  
IMPORTATION OF STEEL ANGLE BARS  
UNDER HS HEADING NOS. 7216.2100  
(2007 AHTN SUBHEADING NO. 7216.21.00),  
7216.5011 (2007 AHTN SUBHEADING NO. 7216.50.10)  
AND 7216.5091 (2007 AHTN SUBHEADING NO. 7216.50.10)**

**FOR: SAFEGUARD MEASURE  
(R.A. No. 8800)  
S.G. INV. NO. 01-2009**

**Philippine Steel Angle Bar Industry,  
Protestant**

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**ORDER**

Pursuant to paragraph 2, Section 4 of Commission Order No. 00-02 (Rules and Regulations to Govern Conduct of Investigation by the Tariff Commission Pursuant to Republic Act 8800), this Commission hereby issues this Order covering the following matters that were taken up and agreed upon by the parties present during the Preliminary Conference held on March 4, 2009:

**SCHEDULE**

<b>Activity</b>	<b>Date</b>
Submission of Position Papers / Memoranda / Documentary Evidences by Parties	February 27 - March 13, 2009
Plant Visit / Data Verification by TC Technical Staff	March 6 - 12, 2009
Submission of Supplemental Information and Domestic Industry's Adjustment Plan	February 27 - April 13, 2009
Submission of Comments on the Staff Report / List of Issues to be Explored or Clarified	April 28 - May 2, 2009
Public Hearing	May 4 - 8, 2009
Submission of Amended Position Papers	May 9 - 18, 2009

**ENTRY OF APPEARANCE OF INTERESTED PARTIES**

All interested parties (petitioner / oppositor / other interested parties), regardless of whether they were present at the preliminary conference or not, are enjoined to formally enter their appearances through a Motion filed with the Commission signifying their interest and indicating their names, addresses and contact details (including fax numbers, e-mail addresses and mobile phone numbers) and the same information of their counsel, if represented by one. Thereafter, notices shall be served only to those who manifested their interest through the filing of said Motion. The Commission should be informed of any changes in the company leadership and/or representing counsel.

The parties are required to inform the Commission of their alternate and/or collaborating counsels aside from their Counsels of Record to avoid delays in the conduct of the public hearing. A notice to the counsel representing a party is considered notice to the latter.

### **ACCESSIBILITY OF DOCUMENTS**

The Commission will maintain a public file of all non-confidential documents/evidence submitted. Parties submitting confidential information must submit a non-confidential version of that data. The public file will be made accessible to all parties on record upon prior request made with the head of the investigating team and upon payment of reproduction fee.

### **CONFIDENTIALITY OF DOCUMENTS**

Submissions of parties marked confidential shall be treated as such. The Commission, however, reserves the right to declassify certain documents as non-confidential if in its judgment, the information is not confidential in nature. All documents and evidence submitted to the Commission not marked as confidential will be made available in the public file.

### **SERVICE OF PLEADINGS / AFFIDAVITS**

A party submitting pleadings, affidavits of witnesses, and all documentary evidence and other information in support of their position to the Commission shall also serve a copy to the other parties who have formally entered their appearance, service of which shall be indicated in the original copy to be submitted to the Commission. The Commission will immediately notify the concerned parties about newly entered appearances for purposes of copy furnishing.

Parties may make service by fax or electronic mail (e-mail) in which case the date of transmission shall be deemed to be the date of service.

For voluminous documents submitted to the Commission, the requirement of service to the parties is waived as long as the submitting party files a motion with the Commission to admit and deposit these voluminous documents together with their consent to make these submissions available for review, examination or reproduction.

### **EXTENSION OF TIME TO SUBMIT POSITION PAPERS / MEMORANDA / DOCUMENTARY EVIDENCES**

The oppositors are given an extension of time to submit position papers / memoranda / documentary evidences for a period of twelve (12) calendar days or until March 25, 2009.

## **ADDITIONAL DATA**

The Commission, in the course of the investigation, may request additional data from all parties which are to be verified by the investigating team.

## **ISSUES FOR THE HEARING**

A list of issues which the parties want to be explored or clarified shall be submitted at least five (5) days before the scheduled date of the public hearing. The elements of the investigation which are for discussion during the public hearing are the issues of serious injury or threat thereof, and the causal link. Issues on product comparability and volume of increased importation are excluded in the coverage of the matters for discussion in the hearing.

## **PUBLIC HEARING / AFFIDAVITS AND NUMBER OF WITNESSES**

Whole day marathon public hearings will be held from May 4-8, 2009. Parties are required to submit to the Commission the affidavit of their witnesses three (3) days prior to the public hearing. Per advice of its counsel, the petitioner will present four (4) witnesses during said hearings.

All parties are enjoined to be present on the first day of the public hearing.

## **UKRAINIAN EXPORTERS**

Newly identified exporters from Ukraine shall be notified of the formal investigation and shall be required to answer the TC questionnaires.

SO ORDERED.

Quezon City, 05 March 2009.

**EDGARDO R. MARALIT**  
Acting Commissioner  
(Presiding Officer)