



March 18, 2022

The Honorable Gina Raimondo
Secretary
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

RE: Circumvention Petition to Impose Tariffs on Crystalline Silicon Photovoltaic Solar Cells and Panels from Malaysia, Vietnam, Thailand, and Cambodia

Dear Secretary Raimondo:

Amicus Solar Cooperative is a certified B-Corp purchasing cooperative, 100% owned by ~70 high quality, mission aligned, values-driven solar energy small businesses. Our members are crystalline solar photovoltaic ("CSPV") module installation companies that employ thousands of Americans, operating in all 50 states, D.C., and Puerto Rico.

As you know Auxin Solar recently filed a request to investigate whether or not solar cells and modules imported from Cambodia, Malaysia, Thailand, and Vietnam circumvent our country's antidumping and countervailing duties ("AD/CVD"). The Auxin petition alleges that Chinese manufacturers have established affiliated operations in these countries to avoid the required AD/CVD duties. In their complaint, the petitioners allege that nearly all the subsidized supply chain, labor, research and development, and investment remain nested in China. This is simply not the case. As a nationwide CSPV module purchasing cooperative, we know CSPV cells and modules require significant infrastructure and capital investment at the site of production, to the extent that the vast majority of the technical value of a CSPV module – the electrochemical structure of the CSPV cell – is added outside of China.

Our members are already feeling the negative impacts of the petition. Manufacturers impose the risk of retroactive tariffs that may result from the petition on purchasers. As small businesses, we are not capitalized to take on these risks, nor are we able to insure against them. Thus, the manufacturers exporting from the countries named in the petition will not ship us the CSPV modules we've ordered. Meanwhile, other manufacturers with operations here in the U.S. and/or other countries not named in the petition are sold out for the foreseeable future because the largest CSPV module buyers have already acquired all of their CSPV module supply. The petition has created an insurmountable barrier to our small businesses receiving the CSPV modules our customers (farmers, homeowners, LMI renters, schools, hospitals, municipalities, nonprofits, etc.) are relying on us to install for them.

In addition to the lack of CSPV module supply, we understand the tariffs could be as high as 250%. Thus, even a relatively small CSPV module order could equate to retroactive tariffs of multiple millions of dollars which would wipe out an entire year's profit, leading to layoffs and potential bankruptcy, as our small businesses would be unable to pass on this cost to our customers.

While we encourage the U.S. Department of Commerce to fully and fairly examine allegations that Chinese solar companies are circumventing AD/CVD lawfully imposed on Chinese solar cells and modules, we feel it is imperative for you to know that this petition is the single largest threat to the viability of our small businesses that we have seen in the last 20 years.

As an antidote to the lack of U.S. domestic CSPV module supply, we recommend Congress and the Biden Administration focus on legislation such as Sen. Ossoff's "Solar Energy Manufacturing for America Act", which supports the development of a vertically integrated domestic supply chain for CSPV modules and cells. Our American small businesses would welcome strong domestic manufacturing with open arms.

Thank you for your consideration.

Sincerely,

Amicus Solar Cooperative on behalf of its growing member small businesses

<u>Member Company</u>	<u>Main Office Location(s)</u>	<u>Member Company (cont.)</u>	<u>Main Office Location(s)</u>
A&R Solar	WA / OR	OnSite Energy	MT
Advanced Solar Products	NJ	Positive Energy	NM
Aegis Renewable Energy	VT	PV Squared	MA
Aireko Energy Group	PR / FL	Radiance Solar	GA
Allterra Solar	CA	ReVision Energy	ME / NH / MA
Alternative Energy Systems	CA	Rooftop Solar	AZ/CA
Arch Electric	WI	Shaw Solar	CO
Arctic Solar Ventures	AK	Simple Power	NV
AUI Partners	TX	Simpleray	IA
Axium Solar	TX	Sol Power	RI
Brooklyn SolarWorks	NY	Solar Energy Solutions	KY / IN / OH
CalCom Energy	CA	Solar Holler	WV
California Solar Electric Company	CA	Solar Impact	FL
California Solar Electric Systems	CA	Solar Landscape	NJ
Creative Energies	WY / ID / UT	Solar Power of Oklahoma	OK
Eagle Solar & Light	AL / NC	Solar Power Pros	CO
Ecogy Energy	NY	Solar States	PA
Encore Renewable Energy	VT	SolarCraft	CA
Envinity	PA	Solarponics	CA
Ethos Green Power	WI	South Mountain Company	MA
Flywheel Development	DC	Southern Current	SC
Geoscape Solar	NJ	Southern Energy Management	NC
GreenLogic Energy	NY	StraightUp Solar	MO
GreenSpark Solar	NY	Sun Light & Power	CA
Hawaii PV Partners	HI	Sun Valley Solar Solutions	AZ
IES Residential (IES Texas Solar)	TX	SunBug Solar	MA
IPS Solar	MN	SunCommon	VT
Ipsun Solar	DC	Sundance Power Systems	NC
Joule Energy	LA	Sunlight Solar Energy	OR / CO / CT / MA
Lightwave Solar Electric	TN	Sunsense Solar	CO
Luminalt	CA	Technicians for Sustainability	AZ
Morton Solar	IN	Third Sun Solar	OH
Namaste Solar	CO		
NATIVE Solar	TX		
Northwind Solar	WI		

Cc:
 President Biden
 Members of Congress