

UNITED STATES COURT OF INTERNATIONAL TRADE

BEFORE: SENIOR JUDGE NICHOLAS TSOUCALAS

RHP BEARINGS LTD., NSK BEARINGS	:	
EUROPE LTD. and NSK CORPORATION,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Court No. 98-07-02526
	:	
UNITED STATES,	:	
	:	
Defendant,	:	
	:	
THE TORRINGTON COMPANY,	:	
	:	
Defendant-Intervenor.	:	

ORDER

This matter comes before the court pursuant to the decision (April 30, 2002) of the Court of Appeals for the Federal Circuit ("CAFC") in RHP Bearings Ltd. v. United States, 288 F.3d 1334 (Fed. Cir. 2002) affirming-in-part, vacating-in-part and remanding the judgment of this court in RHP Bearings Ltd. v. United States ("RHP"), 24 CIT ___, 120 F. Supp. 2d 1116 (2000).

In RHP, this Court decided several issues, one of which was whether Commerce's calculation of the profit component of constructed value was valid, with regard to the determination by the Department of Commerce, International Trade Administration ("Commerce"), in Final Results of Antidumping Duty Administrative Reviews of Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, Germany, Italy, Japan, Romania, Singapore, Sweden, and the United Kingdom, 63 Fed. Reg. 33,320 (June 18, 1998). See RHP Bearings Ltd., 288 F.3d 1334. Specifically, the CAFC remanded the case to this Court with the instruction to remand this case to Commerce so Commerce could: (i) "explain its methodology for calculation of constructed value profit . . . [;] and (ii) explain why that methodology comported with statutory requirements." Id. at 1337.

Accordingly, it is hereby

ORDERED that this case is remanded to Commerce to provide the explanations as outlined in RHP Bearings Ltd., 288 F.3d 1334; and it is further

ORDERED that the remand results are due within ninety (90) days of the date that this opinion is entered. Any responses or comments are due within thirty (30) days thereafter. Any rebuttal comments are due within fifteen (15) days after the date the responses or comments are due.

NICHOLAS TSOUCALAS
SENIOR JUDGE

Dated: July 1, 2002
New York, New York