



May 12, 2022

The Honorable Gina Raimondo  
Secretary  
U.S. Department of Commerce  
1401 Constitution Avenue, NW  
Washington, DC20230

Dear Secretary Raimondo:

On behalf of our millions of volunteers and members, we write to express serious concern about the climate impact of Auxin Solar's circumvention petition to the Department of Commerce, the Department's inquiry, and the resulting uncertainty and disruption caused in solar and electricity markets. We urge the Department of Commerce to issue a preliminary determination at the soonest possible hour in order to prevent any further harm that this episode is visiting upon the domestic solar industry, its contributions to the U.S. economy, as well as the Biden Administration's climate agenda.

We strongly support building a domestic solar supply chain that will simultaneously support good-paying jobs and build solutions to the climate crisis. The most meaningful action the Biden Administration can take to achieve that goal is working with Congress to immediately pass a reconciliation bill with significant investment in domestic clean energy manufacturing and deployment. We also support the use of thoughtful trade policy that can, when combined with federal investment, simultaneously support domestic workers and industries and better climate outcomes. But this controversial petition, the resulting inquiry, and the immense uncertainty caused by them is a deeply problematic approach.

Our national climate goals are critical to and cannot be separated from ensuring our economy, our communities, and our environment avoid the worst impacts of a world warming beyond 1.5 degrees celsius. Through an economic lens alone, the cost of missing the mark on clean energy growth would be staggering. The White House Office of Management and Budget estimates that, under current policy and trends, climate change could result in up to 10% loss of GDP by the end of the century.<sup>1</sup> In order to meet climate and clean energy goals and avoid these and other climate impacts, the U.S. must, according to the Department of Energy, install an average of 30 gigawatts (GW) of solar capacity every year between now and 2025, and an average of 60 GW from 2025-2030, in order to be on track to meet President Biden's commitment to 100% clean electricity

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<sup>1</sup> <https://www.whitehouse.gov/omb/briefing-room/2022/04/04/quantifying-risks-to-the-federal-budget-from-climate-change/>

by 2035.<sup>2</sup> In 2021, the United States deployed 23 GW of solar power. Therefore to begin to meet the pace of deployment our climate goals demand, we must increase the rate of solar deployment by roughly 7 GW this year. And by 2025 the U.S. needs to be adding at least three times more solar every year than we added in 2021. Policy certainty is one of the conditions that will ensure this industry can grow and thrive, while bringing jobs, clean air, and economic benefits to communities across the U.S. Yet this petition, and the major uncertainty it is causing with panel supply coming from Thailand, Cambodia, Malaysia, and Vietnam – which account for more than half of total U.S. supply sources and for which there is no current alternative – means 2022 will almost certainly see total solar deployment heading in the opposite direction from what is needed.

Cancellations and delays in solar deployment imperil emissions reductions. Recent modeling from the solar industry suggests that should this inquiry drag on it could result in an increase of as much as 364 million metric tons of CO<sub>2</sub>, the equivalent to the annual emissions of 97 coal plants.<sup>3</sup> At a time that President Biden has made clear we must decarbonize the electricity sector, the significant consequences of this case on our country's emissions goals are stark. The anticipated consequence of lingering fossil fuel power plants and clean energy delays are already playing out. In Indiana, a utility will delay the retirement of the coal-fired Schahfer Generating Station in Wheatfield, Indiana, citing the Commerce investigation as the cause of delay.<sup>4</sup> Ahead of its North Carolina "carbon plan" Duke Energy, one of the nation's largest utilities, alluded to solar delays.<sup>5</sup> Georgia Power is also delaying a large solar build out by at least a year.<sup>6</sup>

Importantly, in direct connection to impacts on solar projects, climate goals, and pollution in communities, many of the 230,000 American workers in the solar industry are likely to lose their jobs as a result of this case.<sup>7</sup>

We urge the Commerce Department to expedite the review of this case and quickly make a preliminary determination. The longer this case remains hanging over the industry, the greater the negative impact to the energy transition, our climate goals, and American workers. We also encourage Commerce to prioritize considering how it as a U.S. Government agency can help meet the nation's climate goals in all of its work.

Sincerely,

Earthjustice  
Evergreen Action  
League of Conservation Voters  
Rewiring America  
RMI  
Sierra Club

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<sup>2</sup> <https://www.energy.gov/articles/doe-releases-solar-futures-study-providing-blueprint-zero-carbon-grid>

<sup>3</sup> <https://seia.org/sites/default/files/2022-04/FINAL%20Auxin%20Impact%20Analysis%202022-04-26.pdf>

<sup>4</sup> <https://www.indianaenvironmentalreporter.org/posts/nipsco-delays-coal-unit-retirement-due-to-federal-solar-tariff-investigation>

<sup>5</sup> <https://subscriber.politicopro.com/article/eenews/2022/05/10/duke-sees-solar-delays-as-it-details-carbon-plan-00031032>

<sup>6</sup> <https://www.ajc.com/news/supply-chain-issues-delay-georgia-power-solar-projects-by-a-year/4X572FTRINF4.JOBGML.55EBK7BI/>

<sup>7</sup> <https://www.nytimes.com/2022/04/29/climate/solar-industry-imports.html>