

**Petition for Trade Adjustment Assistance (TAA) and  
Alternative Trade Adjustment Assistance (ATAA)**

80410

**Section 1. Petitioner Information**

Provide petitioner information below. Three workers from the same job location completing this Petition Form must fill in all three columns. Other petitioners need only fill in the Petitioner 1 column A. A union official completing this petition form should provide the name of the Union.

**Petitioner 1**

a) Name	Patti Castro		
b) Title	Interim Director		
c) Street Address	24100 Amador St		
City	Hayward		
State, Zip	CA, 94544		
d) Phone - Main	(510) 259-3843		
e) Phone - Alternate	(510) 520-9769		
f) E-mail	pcastro@acgov.org		
g) Worker Separation Date	08/31/2011		
h) Petitioner Type:	One-Stop Operator/Partner		
i) Describe the worker group on whose behalf this petition is being filed:	filed on behalf of all Solyndra workers		

**Section 2. Workers' Firm Information**

Provide information on the firm employing the worker group. Complete items (a)-(g) regarding the employing firm. If the workers are doing work at a location that is different than the worker's employer (e.g., the petitioning workers are employed by a staffing agency but work at a manufacturing firm), also complete items (h) - (m) regarding the firm at which the workers perform their jobs.

NOTE: Workers completing this Petition Form must provide information for the locations where they work. All other petitioner types may apply on behalf of more than one location. State offices and One-Stop Operators/Partners may file for workers at multiple locations of a firm within their State. If you choose to file on behalf of workers at more than one location, please attach additional sheets as necessary.

**Petition for Trade Adjustment Assistance (TAA) and  
Alternative Trade Adjustment Assistance (ATAA)****Employer (Firm)**

a) Name of Firm Solyndra  
b) Street Address 47488 Kato Rd  
  
City Fremont  
State, Zip CA, 94538  
c) Phone (510) 440-2400  
d) Website (if known) http://www.solyndra.com  
e) Describe the article produced by this firm manufacture cylindrical solar systems  
f) How many workers have been or may be separated (if known)? 1100  
g) Is the firm or any part of the firm closing (if known)? If yes, when? Yes 08/31/2011

If the workers work at a location that is different from that listed in item a) and b), then fill out items h) through m) for that location:

h) Name of Firm   
i) Street Address   
  
City   
State, Zip   
j) Phone   
k) Describe the article produced by this firm   
l) How many workers have been or may be separated (if known)?   
m) Is the firm or any part of the firm closing (if known)? If yes, when?

**Section 3. Trade Effects on Separations**

1. To the best of your knowledge, provide reasons why you believe that separations that have occurred or may be threatened at the workers' firm are due to foreign trade. (Example: Production has been / is being shifted to a foreign country, increased imports of articles, loss of business with a TAA-certified firm.)

Solyndra and other U.S solar industry manufacturers have been affected by a worldwide plunge in solar cell prices, based in part on huge subsidies Chinese solar manufacturers receive from their government.

2. If you possess any additional information or documents that you believe may assist in the determination of whether the worker group is eligible for TAA benefits, submit it as an attachment to the Petition Form. Check the box below if you have attached any additional information or supporting documents.

- ☐ I have not attached additional information or supporting documents.

3. Provide contact information for two company officials. Either separately or together, these officials should be familiar with all of the following: employment, job functions, and sales or production at each job locations.

	<b>Official 1</b>	<b>Official 2</b>
a) Name	<u>W.G Stover Jr.</u>	<u>Mary Lou Strong</u>
b) Title	<u>Chief Financial Officer</u>	<u>VP of HR</u>
c) Phone - Work	<u>(510) 440-2400</u>	<u>(510) 440-2645</u>
d) Phone - Alternate	<u></u>	<u></u>
e) Fax	<u></u>	<u></u>
f) E-mail	<u></u>	<u>marylou.strong@solyndra.com</u>

**Petition for Trade Adjustment Assistance (TAA) and  
Alternative Trade Adjustment Assistance (ATAA)****Section 4. Affirmation of Information**

The information you provide on this petition form will be used for the purposes of determining worker group eligibility and providing notice to petitioners, workers, and the general public that the petition has been filed and whether the worker group is eligible. Knowingly falsifying any information on this Petition Form is a Federal offense (18 USC § 1001) and a violation of the Trade Act (19 USC § 2316). For this petition to be valid, each of the petitioners listed in Question 1 must sign below, and the Petition Form must be dated. By signing below, you agree to the following statements:

**"I declare that to the best of my knowledge and belief the information I have provided is true, correct and complete."**

a) Signature /s/ Patti Castro

b) Name (Print) Patti Castro

c) Date of Petition September 01, 2011

The Petition Form will be made available for public inspection and copying under the Freedom of Information Act, as amended (5 USC § 552), Executive Order 12600, and 29 CFR Part 70, upon written request to the U.S. Department of Labor.

The Petition Form date will be recorded as the date that the petition is transmitted electronically via website to OTAA.



## ***Petition for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA)***

### **About the Trade Adjustment Assistance (TAA) Program**

The Trade Act of 1974 (19 USC § 2271 et seq.), as amended, established Trade Adjustment Assistance (TAA) to provide assistance to workers in firms hurt by foreign trade. Program benefits include long-term training while receiving income support. TAA provides both rapid and early assistance. Filing this petition is the first step in qualifying for benefits and assistance. After the petition is filed, the U.S. Department of Labor will determine whether a significant number or proportion of the workers of the firm have become total or partially separated or are threatened to become totally or partially separated, and whether imports or a shift in production to a foreign country contributed importantly to these actual or threatened separations and to a decline in sales or in production of articles. If a petition is approved and the workers are certified as eligible to participate in the TAA program, workers covered by a certification may contact their state workforce agency to apply for benefits. **These benefits are provided at no expense to employers.**

### **About the Alternative Trade Adjustment Assistance (ATAA) Program**

Alternative Trade Adjustment Assistance (ATAA) for older workers is an alternative to TAA for trade affected workers 50 years of age or older. ATAA encourages qualified trade affected workers to quickly obtain full-time employment by providing a wage subsidy in lieu of training and income support. Submission of a completed Petition Form signifies a desire to file for both TAA and ATAA. If certified for both programs, workers will have the option of applying for TAA benefits and services and, if reemployment occurs within 26 weeks of the worker's separation, may be eligible to receive ATAA instead of TAA, if the worker desires.

### **Filing Instructions**

- **A group of three workers from the same firm at the same job location, or a union official, or a state or local agency representative in a local One Stop Career Center, or an employer official, or a legally authorized representative must complete this Petition Form by answering all questions before submitting it to the U.S. Department of Labor.**
- **You must date and submit the Petition Form within 1 YEAR from the date on which the workers were separated or had their hours / wages reduced.**
- **You must file the Petition Form with both the U.S. Department of Labor in Washington, DC and the TAA coordinator or the dislocated worker office of the state where the firm is located.**
  - **To file with the U.S. Department of Labor**, use one of the methods below (electronically submit or fax for quicker processing):  
**Fax** the completed Petition Form to 202-693-3585, **OR**  
**Mail** the completed Petition Form to the U.S. Department of Labor at:  
  
U.S. Department of Labor  
Trade Adjustment Assistance Program  
200 Constitution Ave NW, Room N-5428  
Washington, DC 20210
  - **To file with the TAA coordinator or the dislocated worker office of the state:**  
Use the contact information below to find the appropriate filing address. If this Petition Form includes firms in different states, copies of this completed Petition Form must be filed in each state where firms are located.  
  
**Toll-Free Helpline:** 1-877-US2-JOBS (TTY) 1-877-889-5627  
**Internet:** <http://www.servicelocator.org>

### **For assistance in preparing a petition**

Petitioners may request assistance in preparing the petition at their local One-Stop Career Center, by contacting the U.S. Department of Labor in Washington, D.C. at 202-693-3560 (Main Number), or by contacting their State Dislocated Worker Unit or Employment Security Agency through the telephone numbers or internet addresses provided above.

### **To check the status of your petition go to:**

[http://www.doleta.gov/tradeact/taa/taa\\_search\\_form.cfm](http://www.doleta.gov/tradeact/taa/taa_search_form.cfm)

### **Public Burden Statement**

Persons are not required to respond to this collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. Responding is required to obtain or maintain benefits (19 USC 2321). Public reporting burden for this collection is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information, and a state review. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Labor at the address provided above (Paperwork Reduction Project 1205-0342).

DEPARTMENT OF LABOR

Employment and Training Administration

TA-W-80,410

SOLYNDRA LLC

A SUBSIDIARY OF 360 DEGREE SOLAR HOLDINGS, INC.  
INCLUDING ON-SITE LEASED WORKERS FROM WEST ALLEY, AEROTEK,  
OXFORD GLOBAL, GES AND LIGHTHOUSE MANAGEMENT  
FREMONT, CALIFORNIA

Certification Regarding Eligibility  
To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. § 2273, the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

The group eligibility requirements for workers of a firm under Section 222(a) of the Act, 19 U.S.C. § 2272(a), are satisfied if the following criteria are met:

(1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated; and

(2)(A)(i) the sales or production, or both, of such firm have decreased absolutely; and

(ii)(I) imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased; and

(iii) the increase in imports described in clause (ii) contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm.

Section 222(c) of the Act, 19 U.S.C. § 2272(c), defines the term "contributed importantly" to mean, "a cause that is important but not necessarily more important than any other cause."

The investigation was initiated in response to a petition filed on September 2, 2011 by a One Stop Office/Partner on behalf of workers of Solyndra LLC, a subsidiary of 360 Degree Solar Holdings, Inc., Fremont, California. The worker group includes on-site leased workers from West Alley, Aerotek, Oxford Global, GES and Lighthouse Management. The workers' firm was engaged in activities related to production of cylindrical solar panel systems for commercial rooftops.

During the course of the investigation, information was collected from the workers' firm, customers of the workers' firm, the U.S. International Trade Commission, and other publicly available sources.

Section 222(a)(1) has been met because a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated.

Section 222(a)(2)(A)(i) has been met because the sales and production of cylindrical solar panel systems by Solyndra LLC have decreased absolutely.

Section 222(a)(2)(A)(ii) has been met because customer and aggregate United States imports of articles like or directly competitive with the cylindrical solar panel systems by Solyndra LLC have increased.

Finally, Section 222(a)(2)(A)(iii) has been met because increased customer and aggregate imports contributed importantly to the worker group separations and sales/production declines at Solyndra LLC.

#### Conclusion

After careful review of the facts obtained in the investigation, I determine that workers of Solyndra LLC, a subsidiary of 360 Degree Solar Holdings, Inc., including on-site leased workers West Alley, Aerotek, Oxford Global, GES and Lighthouse Management, Fremont, California, who are engaged in activities related to production of cylindrical solar panel systems, meet the worker group certification criteria under Section 222(a) of the Act, 19 U.S.C. § 2272(a). In accordance with Section 223 of the Act, 19 U.S.C. § 2273, I make the following certification:

"All workers of Solyndra LLC, a subsidiary of 360 Degree Solar Holdings, Inc., including on-site leased workers from West Alley, Aerotek, Oxford Global, GES and Lighthouse Management, Fremont, California, who became totally or partially separated from employment on or after September 1, 2010, through two years from the date of certification, and all workers in the group threatened with total or partial separation from employment on December 20, 2011 through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended."

Signed in Washington, D.C. this 18<sup>th</sup> day of November, 2011



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MICHAEL W. JAFFE  
Certifying Officer, Office of  
Trade Adjustment Assistance

**Edelen, Charlotte - ETA**

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**From:** Edelen, Charlotte - ETA  
**Sent:** Monday, November 28, 2011 2:26 PM  
**To:** 'pcastro@acgov.org'  
**Subject:** Determination of Eligibility to Apply Adjustment Assistance  
**Attachments:** 80410-Castro.doc; 80410.pdf

*RE: TA-W-80,410, Solyndra, LLC, Fremont, CA*

*Dear Patti Castro:*

*Attached please find the Department of Labor's Determination of Eligibility to apply for Worker Adjustment Assistance. The determination will be published in the Federal Register within the next 10 business days by the Office of Trade Adjustment Assistance (OTAA).*

*If you have any questions regarding the attached Determination, please contact us via the OTAA Hotline at 1-888-365-6822.*

*Sincerely,*

*Division of Investigations and MIS Operations  
Office of Trade Adjustment Assistance  
U.S. Department of Labor  
Washington, D.C.*

**U.S. Department of Labor**

Employment and Training Administration  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

November 25, 2011

Patti Castro  
Interim Director  
California Employment Services  
24100 Amador Street  
Hayward, CA 94544

RE: TA-W-80,410, Solyndra, LLC, Fremont, CA

Dear Patti Castro:

The U.S. Department of Labor (Department) recently conducted an investigation in response to the above referenced petition for Trade Adjustment Assistance (TAA) which you filed on behalf of workers in your company. Enclosed is a copy of a determination for **Certification of Eligibility to Apply for Worker Adjustment Assistance** under Section 223 of the Trade Act of 1974, as amended. That determination describes the worker group that is certified as eligible to apply to for benefits and services under the TAA Program. The Department posts electronic copies of determinations on the TAA Web site ([http://www.doleta.gov/tradeact/taa/taa\\_search\\_form.cfm](http://www.doleta.gov/tradeact/taa/taa_search_form.cfm)) under "Search by Petition Number."

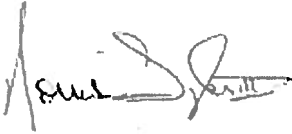
It is the responsibility of the applicable State Workforce Agency (SWA) to contact your company to obtain a list of workers (both current and former employees) in the eligible worker group described in the enclosed determination. The SWA will then notify each of these workers of the benefits and services available to them under the TAA program, including the deadlines that apply to applications for these benefits. If you have not heard from the state regarding this individual worker contact information, you should expect to in the near future. Because there are deadlines associated with applying for individual-level benefits, the SWA will be acting quickly to identify workers in the worker group covered by the certification. For information on how to contact the SWA associated with the case number identified above, please visit the TAA Web site at: <http://www.doleta.gov/tradeact/contacts.cfm>.

To provide information to your workers on steps to obtain program benefits, please direct them to the One-Stop Career Center nearest them. Information on the nearest One-Stop Career Center can be obtained by visiting <http://servicelocator.org> or calling the toll-free help line at 1-877-US2-JOBS.

If you have any questions regarding the certification of your petition or how to assist your workers in obtaining TAA Program benefits and services, please call the Office of Trade

Adjustment Assistance toll free at 888-365-6822. Information about the TAA program is available through the TAA Web site at [www.doleta.gov/tradeact](http://www.doleta.gov/tradeact).

Sincerely,

A handwritten signature in black ink, appearing to read "Norris Tyler III", written over a horizontal line.

Norris Tyler III  
Director, Division of MIS and Investigations  
Office of Trade Adjustment Assistance

Enclosure

**Edelen, Charlotte - ETA**

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**From:** Edelen, Charlotte - ETA  
**Sent:** Monday, November 28, 2011 2:25 PM  
**To:** 'shig.hamamatsu@solyndra.com'  
**Subject:** Determination of Eligibility to Apply Adjustment Assistance  
**Attachments:** 80410-Hamamatsu.doc; 80410.pdf

*RE: TA-W-80,410, Solyndra, LLC, Fremont, CA*

*Dear Shig Hamamatsu:*

*Attached please find the Department of Labor's Determination of Eligibility to apply for Worker Adjustment Assistance. The determination will be published in the Federal Register within the next 10 business days by the Office of Trade Adjustment Assistance (OTAA).*

*If you have any questions regarding the attached Determination, please contact us via the OTAA Hotline at 1-888-365-6822.*

*Sincerely,*

*Division of Investigations and MIS Operations  
Office of Trade Adjustment Assistance  
U.S. Department of Labor  
Washington, D.C.*

**U.S. Department of Labor**

Employment and Training Administration  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

November 25, 2011

Shig Hamamatsu  
VP Finance  
Solyndra LLC  
47488 Kato Road  
Fremont, CA 94538

RE: TA-W-80,410, Solyndra, LLC, Fremont, CA

Dear Shig Hamamatsu:

The U.S. Department of Labor (Department) recently conducted an investigation in response to the above referenced petition for Trade Adjustment Assistance (TAA) which you filed on behalf of workers in your company. Enclosed is a copy of a determination for **Certification of Eligibility to Apply for Worker Adjustment Assistance** under Section 223 of the Trade Act of 1974, as amended. That determination describes the worker group that is certified as eligible to apply to for benefits and services under the TAA Program. The Department posts electronic copies of determinations on the TAA Web site ([http://www.doleta.gov/tradeact/taa/taa\\_search\\_form.cfm](http://www.doleta.gov/tradeact/taa/taa_search_form.cfm)) under "Search by Petition Number."

It is the responsibility of the applicable State Workforce Agency (SWA) to contact your company to obtain a list of workers (both current and former employees) in the eligible worker group described in the enclosed determination. The SWA will then notify each of these workers of the benefits and services available to them under the TAA program, including the deadlines that apply to applications for these benefits. If you have not heard from the state regarding this individual worker contact information, you should expect to in the near future. Because there are deadlines associated with applying for individual-level benefits, the SWA will be acting quickly to identify workers in the worker group covered by the certification. For information on how to contact the SWA associated with the case number identified above, please visit the TAA Web site at: <http://www.doleta.gov/tradeact/contacts.cfm>.

To provide information to your workers on steps to obtain program benefits, please direct them to the One-Stop Career Center nearest them. Information on the nearest One-Stop Career Center can be obtained by visiting <http://servicelocator.org> or calling the toll-free help line at 1-877-US2-JOBS.

If you have any questions regarding the certification of your petition or how to assist your workers in obtaining TAA Program benefits and services, please call the Office of Trade

Adjustment Assistance toll free at 888-365-6822. Information about the TAA program is available through the TAA Web site at [www.doleta.gov/tradeact](http://www.doleta.gov/tradeact).

Sincerely,

A handwritten signature in dark ink, appearing to read "Norris Tyler III", written over a horizontal line.

Norris Tyler III  
Director, Division of MIS and Investigations  
Office of Trade Adjustment Assistance

Enclosure

DEPARTMENT OF LABOR  
Employment and Training Administration

Investigative Report

TA-W-80,410

SOLYNDRA LLC  
A SUBSIDIARY OF 360 DEGREE SOLAR HOLDINGS, INC.  
INCLUDING ON-SITE LEASED WORKERS FROM WEST ALLEY, AEROTEK,  
OXFORD GLOBAL, GES AND LIGHTHOUSE MANAGEMENT  
FREMONT, CALIFORNIA

<u>Determination and Basis:</u>	Customer Imports of Articles (C-3)
<u>Subject Firm Address:</u>	47488 Kato Road Fremont, CA 94538
<u>Company Official Contact:</u>	Shig Hamamatsu VP Finance 47488 Kato Road Fremont, CA 94538 Ph: 510-440-2689
<u>Company Official Email:</u>	shig.hamamatsu <sup>a</sup> @solyndra.com
<u>Article Produced by Firm:</u>	Cylindrical solar panel systems
<u>NAICS:</u>	334413
<u>Previous Determination:</u>	None
<u>Countries Impacting Workers:</u>	N/A
<u>Number of Workers Affected:</u>	1861
<u>Total Number of Workers:</u>	1861
<u>Petitioner:</u>	One Stop Office/Partner
<u>Relevant Dates:</u>	
Institution Date:	September 2, 2011
Petition Date:	September 1, 2011
Impact Date:	September 1, 2010

File: S:\ONR\TRADE\Case\T1\80000's\80410

Investigator(s):

J. Mendelsohn, S. Lassiter  
(Customer Survey  
Specialist), C. Holz (Final  
CS Analysis and write-up  
draft)

#### SUPPORTING EVIDENCE

##### Description of Worker Group and Product produced

Solyndra LLC, a subsidiary of 360 Degree Solar Holdings, Inc., Fremont, CA is the subject of this investigation. The worker group includes on-site leased workers from West Alley, Aerotek, Oxford Global, GES and Lighthouse Management.

The workers firm produces innovative cylindrical solar panel systems for installation on commercial rooftops. The firm sold its products to commercial installers of solar panel systems.

Compared to traditional solar panels, the cylindrical panel type produced by the firm was smaller and lighter in size compared to competing products, but allowed for the same amount of sunlight to be captured, making them more efficient. The panels could be used on small rooftops or on rooftops that did not support the weight of the established type of solar panel. This advantage was supposed to allow the firm to charge a premium for its panels, making it a niche product.

As of 8/31/2011, the firm has seized all operations and has shut-down.

##### Narrative of Petitioners' Allegation

The petitioner alleges that *"Solyndra and other U.S. solar industry manufacturers have been affected by a worldwide plunge in solar cell prices, based in part on huge subsidies Chinese solar manufacturers receive from their government."* [see petition document]

##### Employment Information

Since September 1, 2010 (impact date), an estimated 1,861 workers have been separated from the firm. This total includes an estimated 649 temporary workers as well as leased workers from West Valley, Aerotek, Oxford Global, GES and Lighthouse Management. Most of these separations occurred at the time of the shut-down of the Fremont, CA facility on August 31, 2011.

An additional 85 workers are threatened with separation as the company's operations wind down.

#### Sales/Production Information

Sales decreased by 6 percent from the January-August 2010 period compared to the same period in 2011, and decreased completely upon shut-down of the facility on August 31, 2011.

Sales	2009	2010	Jan-Aug 2010	Jan-Aug 2011
	100,500,000	145,700,000	86,800,000	81,200,000
Percent Change		44.98%		-6.45%

Production decreased by 54 percent from the January-August 2010 period compared to the same period in 2011, and decreased completely upon shut-down of the facility on August 31, 2011.

Production	2009	2010	Jan-Aug 2010	Jan-Aug 2011
	180,900,000	305,700,000	154,900,000	237,900,000
Percent Change		68.99%		53.58%

#### Import/Contributed Importantly Information

Company imports increased from 2009 to 2010; however, subject firm imports increased at a lesser rate than production resulting in a decrease in the Import/Production (I/P) ratio [CDR. Part II, Section B]. From January through August 2011 over the corresponding 2010, import declined while production at the subject firm increased.

Imports	2009	2010	YTD 2010	YTD 2011
	75,600,000	120,800,000	80,500,000	51,400,000
Percent Change		59.79%		-36.15%
Imports/Production	41.79%	39.52%	51.97%	21.61%

#### Customer Survey:

According to the CDR [Part II, Section D], the firm's major declining customers were primarily located outside the United States during the relevant (Germany, Belgium and Poland).

Consequently, the Department requested and subsequently received a list of these significant domestic customers [E-mail, Mr. Shig Hamamatsu, VP Finance, date 10/24/2011]. All customers were surveyed in respect to their purchases of articles like or directly competitive to the solar panel products manufactured by the subject firm.

U.S. customer comprised approx. one fifth to one third of total subject firm sales as of 2009. Out of the six surveyed major U.S. customers of the subject firm, three reported increased imports of foreign made articles like or directly to those produced by the subject firm.

The survey revealed the following:

From January through August 2011 over the corresponding 2010 period, the customers increased their purchases from the subject firm by 59 percent or approx. \$10.3 Million, while also increased their imports by approx. 1,233 percent or approx. \$16.6 Million. Other domestic purchases increased by 216 percent, or approx. \$7.8 Million.

As a percent of total subject firm sales decline, the increases in imports represent approx. 296 percent indicating a significant increase in reliance on direct and indirect imports by the subject firm's major domestic customers.

A break-down of the individual customers as surveyed:

***Customer reporting no imports:***

Orion Energy Systems, Manitowoc, WI  
Panelized Structures, Modesto, CA  
Howard Electric, Golden, CA

***Customers reporting imports:***

**Allied Building Products, East Rutherford, NJ:**

This customer represented between 2 to 12 percent of total subject firm sales between 2009 and August 2011. From January through August 2011 over the corresponding 2010 period the customer increased its purchases of foreign made goods valued at zero US-Dollars to approx \$1,320,239. While it did increase its purchases from the subject firm, the increase in imports represented 24 percent of the sales decline that occurred during that period.

**Carlisle SynTec, Carlisle, PA:**

This customer represented 13 percent of total subject firm sales in 2009 and 3 percent in 2010. While the subject firm increased its sales during that period by 45 percent, this customer decreased its purchases from the subject firm while its indirect imports by 254 percent.

This customer obtained its indirect goods from three domestic suppliers: "United Solar Ovonics" supplied goods and "Miasole" which were made of less than 50 percent foreign made components. (45 percent was used to calculate the actual figure) "ET Solar" supplied goods which were 100 percent foreign made. Consequently, the two percentages were averaged to 70 percent to calculate the amount of indirect imports.

Finally, this customer firm directly imported like or directly articles from zero to \$216,000. Overall, total imports by this customer increased by 11 percent from January through February 2011 over the corresponding 2010 period.

**SPI Solar, Roseville, CA:**

This customer comprised only two percent of subject firm sales in 2009. However, this customer increased its imports by 265,895 percent while decreasing its purchases from the subject firm by 90 percent from 2009 to 2010. The resulting amount of imports subsequently accounted for 1,360 percent of purchases of 2010 subject firm sales. In effect, this customer chose to resource its product from an initial \$2,119,812 in 2009 from the subject firm to a foreign supplier in the following year valuing approx. \$2,969,424.

This trend continued from January through August 2011 over the corresponding 2010 period. SPI Solar increased its imports by 109 percent while purchasing no goods from the subject firm in the latter period. Specifically, this customer increased its imports from zero to approx \$15,115,811, or 270 percent of the subject firm sales decline (approx. \$5,500,000).

In addition to direct imports, this customer increased its U.S. imports of U.S. manufactured goods containing cylindrical solar panel systems from \$1,765,482 to \$3,566,241 (52 percent) during the same period.

International Trade Commission (ITC) Information

**HTS - 8541406020: SOLAR CELLS ASSEMBLED INTO MODULES OR PANELS**  
Customs Value by Customs Value  
for ALL Countries, U.S. Imports for Consumption

Annual + Year-To-Date Data from Jan - Sep

TOTAL	2009	2010	2010 YTD	2011 YTD	Percent Change YTD2010 – YTD2011
	In 1,000 Dollars				
TOTAL	1,326,478	2,398,163	1,562,874	3,097,854	98.2%

U.S. aggregate import data compiled by the U.S. International Trade Commission indicates that imports of "solar cells assembled into modules and panels" (HTS - 8541406020) have increased by 98.2 percent from January through September 2010 compared to the corresponding period.

Industry Analysis/Contributed Importantly Information

Contributed Importantly Criterion: Under the Trade Act, as amended, the term "contributed importantly" means, "a cause which is important but not necessarily more important than any other cause."

The finding of increased imports by customers of Solyndra is consistent with the aggregate data, as well as market research conducted by GTM Research [see attached] and media reports indicating that the U.S. solar energy industry (particularly the photovoltaic modules segment) is facing intense cost pressure from overseas suppliers, especially China. OTAA has recently certified workers of other producers of solar modules and systems, including the following:

- Workers of United Solar Ovonic, Auburn Hills, MI (TA-W-74558) were certified on October 5, 2010 based on a shift in production by the firm to Mexico. During the investigation, the firm cited competition from Chinese imports as the primary reason for the shift in production.
- Workers of Evergreen Solar, Inc, Marlboro and Devens, MA (TA-W-75,230) were certified on March 17, 2011 based on an acquisition of articles by the firm from China.
- Workers of Solar Power Industries, Belle Vernon and Mt. Pleasant, PA (TA-W-80,216) were certified on June 17, 2011 based on an increased reliance on imports from China by the firm.
- Workers of SOLON Corporation, Tuscon, AZ (TA-W-80,393) were certified on September 14, 2011 based on increased imports by the firm from China.



TA-W - : 80,410  
Subject Firm: Solyndra LLC  
Location: Fremont, California

Contact at the U.S. Department of Labor: Jacquelyn Mendelsohn  
E-Mail: Mendelsohn.Jacquelyn@dol.gov.  
Phone: (202) 693-3569 Fax: (202) 693-3986; (202) 693-3585; (202) 693-3584

## Part I

### A. Subject Firm Information

- (1) Official Subject Firm Name Solyndra LLC Division (if any) \_\_\_\_\_  
Address 47488 Kato Road, Fremont, CA 94538  
Website http://www.solyndra.com/
- (2) Federal Employer Identification No. (FEIN): 30-0559771  
(a) In the past one year, have the workers' wages been reported under another FEIN? Yes ☒ No ☐  
(b) If yes, explain why and list the other FEIN and the corporate name for the other FEIN:  
Prior FEIN under Solyndra, Inc. – 412175583 (now named 360 Degree Solar Holdings, Inc.). Solyndra, Inc. restructured in March 2011 and all employees were transferred from Solyndra, Inc. (now named 360 Degree Solar Holdings, Inc.) to Solyndra LLC
- (3) Parent company of Subject Firm (if applicable)  
Address 360 Degree Solar Holdings, Inc., 47488 Kato Road, Fremont, CA 94538
- (4) Provide the names and addresses of all companies supplying leased or temporary workers to the subject firm to supplement the firm's workforce in the past year and describe their functions.  
West Valley, Aerotek, Oxford Global, GES and Lighthouse Management  
These temporary worker providers provided mainly manufacturing techs, equipment maintenance techs, material handlers, operators, some administrative personnel (a/p, hr, IT, etc.).

### B. Organizational Structure

Describe the organizational structure of the subject firm, including, but not limited to, the parent company, affiliates and subsidiaries. Are there any other subdivisions manufacturing articles that are like or directly competitive with the articles manufactured at the subject firm? (Please attach any existing diagrams of organizational structure.)

360 Degree Solar Holdings, Inc. [Holding/ Parent Company - no employees] – owns 100% of Solyndra LLC – [operating company with all manufacturing and employees]; Solyndra LLC owns 100% of domestic and foreign subsidiaries; Solyndra International AG [Swiss sales company – no manufacturing]; Solyndra GmbH [German marketing and sales support services – no manufacturing]; various branch offices of Solyndra International AG and Solyndra GmbH in France, Italy, Czech Republic [performed sales and marketing services]  
See attached organization chart

There are no other subdivisions of Solyndra that perform any manufacturing.

### C. Articles Produced

- (1) Describe the articles manufactured by the subject firm and their end uses. If the firm does not produce an article, stop here and contact the Department of Labor investigator assigned to your case.  
Solyndra manufactures innovative cylindrical solar panel systems for installation on commercial rooftops
- (2) Identify the North American Industry Classification System (NAICS) code(s) for the subject firm, and the Harmonized Tariff Schedule (HTS) classification for the articles produced there, if known:



334413 – Solar Cells Manufacturing

- (3) Are the articles produced by the subject firm incorporated as components into another article? Yes ☐ No ☒  
If yes, please identify the finished article(s) into which these components are incorporated.
- (4) If more than one product is produced at the subject firm, are workers (including leased workers) separately identifiable by product?  
Yes ☐ No ☐ N/A – only one product is produced  
If yes, please explain.

## Part II

### A. Recent Activities of Subject Firm

- (1) Have worker separations occurred or are any expected? (Include leased or temporary workers) Yes ☒ No ☐  
(a) How many workers were separated at the subject firm since 9/1/2010: RFT: 1094; Temps: 649; GES/Other: 14; Contractors: 82 – for a total of 1,839  
(b) If future worker separations are planned or expected, when will they occur? 22 additional as of 9/16/11 in the US, and an additional 41 in Europe. The remaining 85 in the US will be terminated at the time when their functions are no longer needed in the wind down process.  
(c) How many workers will be separated? eventually an additional 148  
(d) Have workers' wages and hours been reduced? Yes ☐ No ☒  
(2) Explain the reasons for these separations and the reduction in wages and hours. If you believe the separations are/were in any way caused by the effects of foreign trade, please describe.

Global economic and solar industry market conditions forced the Company to suspend its manufacturing operations. Solyndra could not achieve full-scale operations rapidly enough to compete in the near term with the resources of larger foreign manufacturers. This competitive challenge was exacerbated by a global oversupply of solar panels and a severe compression of prices that in part resulted from uncertainty in governmental incentive programs in Europe and the decline in credit markets that finance solar systems.

- (3) Do the workers in the workers' firm possess skills that are not easily transferable? Yes ☒ No ☐  
(4) Has the subject firm ceased operating or is a shutdown scheduled? Yes ☒ No ☐  
(a) If yes, date of shutdown: 8/31/11 (b) Is the shutdown permanent? Yes ☒ No ☐  
(5) Has the subject firm or parent company, affiliates, branches, or subdivisions imported or acquired from a foreign country articles that are like or directly competitive with articles produced by the subject firm? Yes ☐ No ☒  
(6) Has the subject firm or parent company, affiliates, branches, or subdivisions imported any finished products that incorporate an article like or directly competitive with the article produced by the workers at the subject firm? (For example, the subject firm produces manifolds and the parent company imports engines) Yes ☐ No ☒  
(7) Has the subject firm or parent company, affiliates, branches, or subdivisions producing like or directly competitive articles shifted that work to another country or countries, or is a shift in production to another country scheduled? Yes ☐ No ☒  
a) If yes, date of the beginning of the shift: \_\_\_\_\_ b) Date the shift completed: \_\_\_\_\_  
(8) Has the subject firm contracted to have the article produced outside the United States? Yes ☐ No ☒  
If yes, explain the arrangement and describe the article that will be produced: \_\_\_\_\_

- (9) To the best of your knowledge, is your firm experiencing a decline in sales caused by customers purchasing non-U.S. manufactured articles rather than the articles produced by your firm? Yes ☒ No ☐ If yes, please explain.  
Yes, solar panels produced outside the U.S. at a lower cost.



- (10) Is your firm experiencing a decline in sales to a customer located outside the United States? Yes ☒ No ☐  
(a) If yes, does the customer located outside the United States incorporate the articles produced by your firm into a product that is then imported into the United States? Yes ☐ No ☒

**IMPORTANT!**

If your company increased imports of articles or shifted production of articles identified above in part I.C.1 to a foreign country, stop here and contact the Department of Labor investigator assigned to your case for further instructions.

**B. Subject Firm Employment, Sales, Production, and Imports**

Report the firm's data for the articles identified below, including like or directly competitive articles, for the periods provided in the table. Please provide the applicable unit of measurement below each table. If more than one product is produced at this location, reproduce and complete a form for each product.

Article Produced: cylindrical solar panel systems for installation on commercial rooftops

		2009	2010	Jan thru August 2010	Jan thru August 2011
Employment (including leased or temporary workers) associated with this article		745 RFT 261 temps	994 RFT 154 temps	995 RFT 223 temps	927 RFT 211 temps
Number of workers reported age 50 or over (including leased or temporary workers) associated with this article		188	254	247	223
Total Sales (This location only)	Dollars	\$100.5M	\$145.7M	\$86.8M	\$81.2M
	Quantity*	30.4MW	57.4MW	33.5MW	36.3MW
Production (This location only)	Dollars	\$180.9M	\$305.7M	\$154.9M	\$237.9
	Quantity*	30.1MW	67.4MW	51.3MW	49.4MW
U.S. Exports (This location only)	Dollars	\$71.7M	\$102.5M	\$65.1M	\$41.1M
	Quantity*	21.6MW	42.4MW	26.5MW	18.6MW
U.S. Imports Firm-wide (Including Like or Directly Competitive Articles)	Dollars	\$75.6M	\$120.8M	\$80.5M	\$51.4M
	Quantity*				
U.S. Imports Firm-wide of Finished Articles Incorporating U.S. Manufactured Components Like or Directly Competitive with the Article Identified Above	Dollars	N/A	N/A	N/A	N/A
	Quantity*				
U.S. Imports Firm-wide of Finished Articles Incorporating non-U.S. Manufactured Components Like or Directly Competitive with the Article Identified Above	Dollars	N/A	N/A	N/A	N/A
	Quantity*				
Production Shifted by the Subject Firm or Parent Company From this Location to Foreign Countries	Dollars	N/A	N/A	N/A	N/A
	Quantity*				



List countries where imports originated: Various – Germany, China, Malaysia, Singapore, Japan, Netherlands, UK, India, S. Korea, Netherlands, Belgium, Switzerland

List countries to which production was shifted: N/A

\*Quantities provided are measured in: MW = megawatts (For example: units, dozens, pounds, tons)

Actuals based on best available information at this time. Amounts for August 2011 are estimates. All data for US Imports is estimated

Numbers shown are actual or estimates?

### C. Secondary Impact

Does the subject firm conduct business with a firm whose workers have been certified under the TAA program? Yes ☐ No ☒

If yes, please describe the business relationship with the TAA-certified firm and include the TAA certified firm in the list of customers provided in section D.

### D. Sales to Customers

For each article produced by the subject firm at this location, provide a list of the subject firm's customers that account for the majority of the decline in sales of the article identified. Report the subject firm's data for the last two full years, the most recent year-to-date, and the comparable period in the previous year. Reproduce and attach additional sheet(s) as necessary.

Identify article:

CUSTOMERS:		2009	2010	Jan thru August 2010	Jan thru August 2011
Company Name: USE GmbH	Dollars	22.9M	5.2M	.9M	1.1M
Address: Ludwig Frhard Strasse 2 72760 Reutlingen, Germany					
Contact/Buyer: Roland Schmidt	Quantity*	6.96 MW	2.173 MW	.332 MW	.543MW
Tel: _____ Fax: _____ Email: Roland.Schmidt@u-s-egroup.com					
Company Name: Sunconnex BV	Dollars	9.6M	.18M	.1M	1.3M
Address: P.O. Box 74791 Amsterdam, Netherlands					
Contact/Buyer: _____	Quantity*	2.88 MW	.262 MW	.239 MW	.518MW
Tel: 31204620077 Fax: _____ Email: Nood.smits@sunconnex.com					
Company Name: Geckologic Group AG	Dollars	3.5M	0	.6M	0
Address: Zentrale Deutschland Wetzlar, Germany					
Contact/Buyer: Ulrich Peusch	Quantity*	0	2.173 MW	.208 MW	0
Tel: _____ Fax: _____ Email: Ulrich-peusch@geckologic.com					
Company Name: Premier Power S.L.	Dollars	2.9M	0	0	0
Address: Calle 3, #3 BAJOF Mutlva Baja.(Navarra 31192					
Contact/Buyer: Bjorn Pearson	Quantity*	.838 MW	0	0	0
Tel: 34948070154 Fax: _____					



Company Name: <u>Solar Power Inc.</u>	Dollars	2.2M	.01M	.06M	0
Address: <u>1115 Orlando Avenue</u> <u>Roseville, CA</u>					
Contact/Buyer: _____	Quantity*	.621MW	.017MW	.2MW	0
Tel: <u>916 745 01912</u> Fax: _____					
Email: _____					

Company Name: _____	Dollars				
Address: _____					
City: _____					

(For example: units, dozens,  
pounds, tons)

\*Quantities provided are measured in: MW = megawatts

### E. LOST BIDS / CONTRACTS FOR ARTICLES

Has your firm lost bids for contracts to supply the articles produced by the firm in the past 2 years? Yes ☒ No ☐

If yes, list the major projects for which the subject firm submitted unsuccessful bids during the last two years. Reproduce and attach sheet(s) if needed to provide information for major contracts lost.

FIRM/AGENCY AWARDING BID	PROJECT DESCRIPTION	PROJECT INFORMATION
Name: <u>IKEA Properties, Inc.</u>	Product: <u>200 Series Solyndra Panels</u>	ID#: <u>#409 Paramus, NJ</u>
Address: <u>Atten: Mark Gaspar</u>		Amount of Bid: <u>\$1.8M</u>
Contracting Agent: <u>REC Solar</u>	Quantity: <u>Approx 1 MW</u>	Date of Award: <u>7/6/11</u>
Phone/Fax: <u>610 834 0180</u>	Period Of Performance: _____	Awardee (If Known): <u>REC modules</u>

FIRM/AGENCY AWARDING BID	PROJECT DESCRIPTION	PROJECT INFORMATION
Name: <u>Walmart</u>	Product: <u>200 Series Solyndra Panels</u>	ID#: <u>Walmart LA</u>
Address: _____		Amount of Bid: <u>\$658k</u>
Contracting Agent: <u>Ameresco Solar</u>	Quantity: <u>.292 MW</u>	Date of Award: <u>8/11</u>
Atten: <u>Terry Basett</u>	Period Of Performance: _____	Awardee (If Known): <u>BP Solar</u>
Phone/Fax: _____		



FIRM/AGENCY AWARDDING BID	PROJECT DESCRIPTION	PROJECT INFORMATION
Name: <u>Sun Edison, LLC</u>	Product: _____	ID#: <u>Sun Edison AEW</u>
Address: _____	_____	Amount of Bid: _____
Contracting Agent: _____	Quantity: _____	Date of Award: _____
Phone/Fax: _____	Period Of Performance: _____	Awardee (If Known): _____
		AWARDEE (IF KNOWN): _____

### Part III

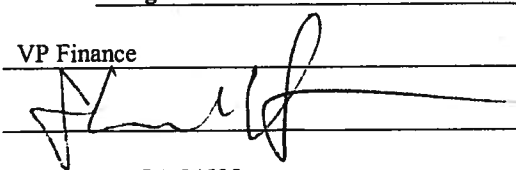
#### Affirmation of Information

The information you provide on this form will be used for the purposes of determining worker group eligibility and to estimate the total number of workers covered by the petition. Knowingly falsifying any information on this form is a Federal offense (18 USC § 1001) and a violation of the Trade Act (19 USC § 2316). By signing below, you agree to the following statement:

"Under penalty of law, I declare that to the best of my knowledge and belief the information I have provided on this form is true, correct, and complete."

NAME OF COMPANY OFFICIAL: Shig Hamamatsu

TITLE: VP Finance

SIGNATURE:  DATE: 9/15/11

BUSINESS ADDRESS: 47488 Kato Road, Fremont, CA 94538

E-MAIL ADDRESS: Shig.hamamatsu@solyndra.com

TELEPHONE NUMBER: +1 510-440-2689 FAX NUMBER: \_\_\_\_\_



Please provide contact information for individuals who may be contacted with follow-up questions regarding Part I or Part II, if different from the company official signing the affirmation.

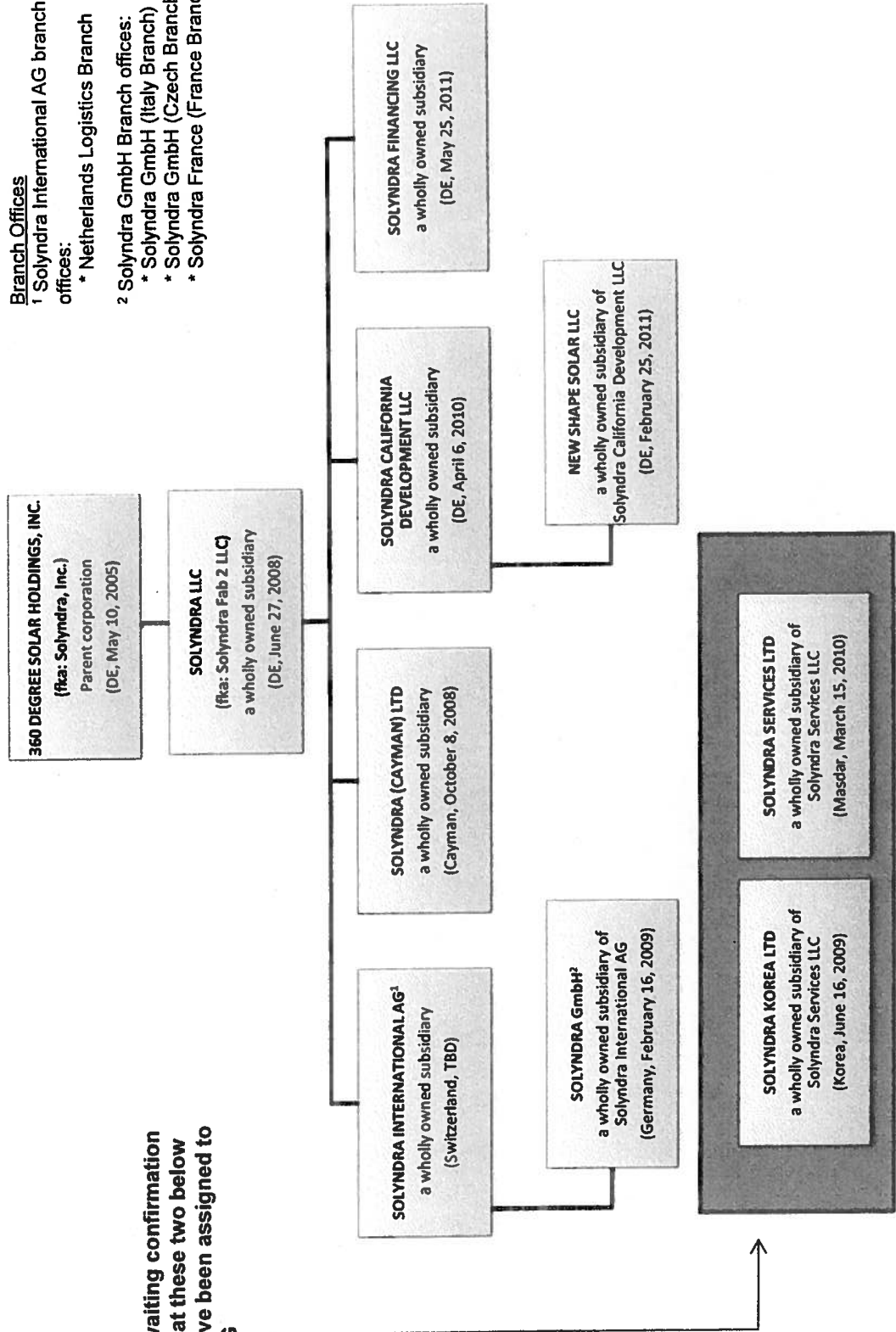
	Part I	Part II
a) Name	John Stukel	John Stukel
b) Title	Assistant General Counsel	Assistant General Counsel
c) Phone – Work	510 440 2488	510 440 2488
d) Phone – Alternate	208 340 6382	208 340 6382
e) Fax		
f) E-mail	John.stukel@solyndra.com	John.stukel@solyndra.com

# SOLYNDRA

August 9, 2011

**Branch Offices**  
 1 Solyndra International AG branch offices:  
 \* Netherlands Logistics Branch  
 2 Solyndra GmbH Branch offices:  
 \* Solyndra GmbH (Italy Branch)  
 \* Solyndra GmbH (Czech Branch)  
 \* Solyndra France (France Branch)

Awaiting confirmation  
 That these two below  
 have been assigned to  
 AG





### Processing Instructions

A petition for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) has been filed on behalf of a group of workers. Your assistance in expeditiously completing this form is necessary for the U.S. Department of Labor to determine whether these workers may be eligible for federal benefits. By law, this determination must be made within a certain time period following the filing date of the petition (19 U.S.C. 2273(a)). The Secretary of Labor is authorized to obtain this information through subpoena if you fail to comply with this request (19 U.S.C. 2321). Accordingly, please complete and return this form no later than **September 12, 2011**.

**Background:** The Trade Act of 1974 (19 USC § 2271 et seq.), as amended, established Trade Adjustment Assistance (TAA) to provide assistance to workers in firms with a decline in sales or a decline in production of articles affected by imports of articles from foreign countries or shifts in production to foreign countries. After receiving a TAA and ATAA petition, TAA investigators analyze the facts to determine whether increased imports or shifts in production contributed importantly to the workers' actual or threatened layoffs or work reductions and to determine whether the required minimum proportion of the workforce has either been laid off or is threatened with layoffs. The TAA Program provides petitioners with both rapid and early assistance. Once a petition has been granted and workers are certified as eligible to participate in the TAA program, workers covered by a certification may contact their state workforce agency to apply for additional reemployment assistance including long-term training while receiving income support and other benefits. **These benefits are provided at no expense to employers.**

**Completing Form:** Type or print legibly. Complete all sections, unless directed otherwise. Attach additional sheets if necessary. If there is no quantity or value, enter "zero" or "none". On a separate sheet, please add any relevant information not covered in this form, and attach any supporting documents. If you have any difficulty completing this form or have questions, please contact Jacquelyn Mendelsohn, [Mendelsohn.Jacquelyn@dol.gov](mailto:Mendelsohn.Jacquelyn@dol.gov).

**Confidentiality:** All information submitted under this request will be used to determine whether the criteria for certification of the workers covered by a petition have been satisfied. The U.S. Department of Labor will protect the confidentiality of the information you provide to the full extent of the law, in accordance with the Trade Secrets Act, 18 USC 1905 and the Freedom of Information Act, 5 U.S.C. 552, and 29 CFR Parts 70 and 90.

**Public Burden Statement:** Persons are not required to respond to this collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. Responding is mandatory (19 USC 2321). Public reporting burden for this collection is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, Office of Trade Adjustment Assistance, Room N-5428, 200 Constitution Ave., N.W., Washington, DC 20210 (Paperwork Reduction Project 1205-0342).

# TA-W-80,410 - SOLYNDRA, LLC, FREMONT, CA

	2009	2010	% change	Jan-AUG 2010	Jan-AUG 2011	% change
Subject Firm Sales:	100,500,000	145,700,000	45%	86,800,000	81,200,000	-6%

## All Customers

Purchases Subject Firm	18,695,291	31,133,898	67%	17,366,811	27,663,281	59%
Purchases Other Domestic	1,421,133	11,158,342	685%	4,934,771	12,607,186	155%
Percent other Domestic Foreign Made						
Other Domestic US Made	478,864	7,824,778	1534%	3,588,784	11,323,029	216%
Indirect imports	942,269	3,333,565	254%	1,345,987	1,284,157	-5%
Purchases Foreign Firms	0	2,969,424	#DIV/0!	0	16,652,050	#DIV/0!
Total Imports	942,269	6,302,989	569%	1,345,987	17,936,207	1233%
Customer purchases from SF as a percent of total SF sales	19%	21%		20%	34%	
Customer Imports as a percent of total SF sales	1%	4%		2%	22%	
Customer Imports as a percent of purchases from SF	5%	20%		8%	65%	
Customer decline in purchases from SF as percent of total SF sales decline						
Customer import increase as percent of customer's decline in purchases from the SF						
Customer import increase as percent of total SF sales during second time period						
Customer import increase as a percent of total SF sales decline						
		0%			296%	

# TA-W-80,410 - SOLYNDRA, LLC, FREMONT, CA

	2009	2010	% change	Jan-AUG 2010	Jan-AUG 2011	% change
Subject Firm Sales:	100,500,000	145,700,000	45%	86,800,000	81,200,000	-6%

## Customer 1: ALLIED BUILDING PRODUCTS, EAST RUTHERFORD, NJ

Purchases Subject Firm	2,438,971	10,959,408	349%	6,517,939	9,697,210	49%
Purchases Other Domestic	74,175	2,740,275	3594%	1,290,780	4,475,019	247%
Percent other Domestic Foreign Made	0.00%	0.00%		0.00%	0.00%	
Other Domestic US Made	74,175	2,740,275	3594%	1,290,780	4,475,019	247%
Indirect imports	0	0	#DIV/0!	0	0	#DIV/0!
Purchases Foreign Firms	0	0	#DIV/0!	0	1,320,239	#DIV/0!
Total Imports	0	0	#DIV/0!	0	1,320,239	#DIV/0!
Customer purchases from SF as a percent of total SF sales	2%	8%		8%	12%	
Customer Imports as a percent of total SF sales	0%	0%		0%	2%	
Customer Imports as a percent of purchases from SF	0%	0%		0%	14%	
Customer decline in purchases from SF as percent of total SF sales decline		19%			0%	
Customer import increase as percent of customer's decline in purchases from the SF		0%			0%	
Customer import increase as percent of total SF sales during second time period		0%			2%	
Customer import increase as a percent of total SF sales decline		0%			24%	

# TA-W-80,410 - SOLYNDRA, LLC, FREMONT, CA

	2009	2010	% change	Jan-AUG 2010	Jan-AUG 2011	% change
Subject Firm Sales:	100,500,000	145,700,000	45%	86,800,000	81,200,000	-6%

## Customer 2: CARLISLE SYNTEC, CARLISLE, PA

Purchases Subject Firm	13,299,623	4,320,776	-68%	1,735,738	3,354,426	93%
Purchases Other Domestic	1,346,098	4,762,235	254%	1,922,838	2,853,682	48%
Percent other Domestic Foreign Made	70.00%	70.00%		70.00%	45.00%	
Other Domestic US Made	403,829	1,428,671	254%	576,851	1,569,525	172%
Indirect imports	942,269	3,333,565	254%	1,345,987	1,284,157	-5%
Purchases Foreign Firms			#DIV/0!		216,000	#DIV/0!
Total Imports	942,269	3,333,565	254%	1,345,987	1,500,157	11%
Customer purchases from SF as a percent of total SF sales	13%	3%		2%	4%	
Customer Imports as a percent of total SF sales	1%	2%		2%	2%	
Customer Imports as a percent of purchases from SF	7%	77%		78%	45%	
Customer decline in purchases from SF as percent of total SF sales decline		0%			0%	
Customer import increase as percent of customer's decline in purchases from the SF		27%			0%	
Customer import increase as percent of total SF sales during second time period		2%			0%	
Customer import increase as a percent of total SF sales decline		0%			3%	

# TA-W-80,410 - SOLYNDRA, LLC, FREMONT, CA

	2009	2010	% change	Jan-AUG 2010	Jan-AUG 2011	% change
Subject Firm Sales:	100,500,000	145,700,000	45%	86,800,000	81,200,000	-6%

## Customer 3: ORION ENERGY SYSTEMS, MANITOWOC, WI

Purchases Subject Firm	18,046	6,422,065	35487%	1,940,361	14,060,989	625%
Purchases Other Domestic			#DIV/0!			#DIV/0!
Percent other Domestic Foreign Made						
Other Domestic US Made	0	0	#DIV/0!	0	0	#DIV/0!
Indirect imports	0	0	#DIV/0!	0	0	#DIV/0!
Purchases Foreign Firms			#DIV/0!			#DIV/0!
Total Imports	0	0	#DIV/0!	0	0	#DIV/0!
Customer purchases from SF as a percent of total SF sales	0%	4%		2%	17%	
Customer Imports as a percent of total SF sales	0%	0%		0%	0%	
Customer Imports as a percent of purchases from SF	0%	0%		0%	0%	
Customer decline in purchases from SF as percent of total SF sales decline		14%			0%	
Customer import increase as percent of customer's decline in purchases from the SF		0%			0%	
Customer import increase as percent of total SF sales during second time period		0%			0%	
Customer import increase as a percent of total SF sales decline		0%			0%	

# TA-W-80,410 - SOLYNDRA, LLC, FREMONT, CA

	2009	2010	% change	Jan-AUG 2010	Jan-AUG 2011	% change
Subject Firm Sales:	100,500,000	145,700,000	45%	86,800,000	81,200,000	-6%

## Customer 4: SPI SOLAR, ROSEVILLE, CA

Purchases Subject Firm	2,119,812	218,384	-90%	55,910	0	-100%
Purchases Other Domestic	860	2,287,557	265895%	1,709,573	3,566,241	109%
Percent other Domestic Foreign Made						
Other Domestic US Made	860	2,287,557	265895%	1,709,573	3,566,241	109%
Indirect imports	0	0	#DIV/0!	0	0	#DIV/0!
Purchases Foreign Firms	0	2,969,424	#DIV/0!	0	15,115,811	#DIV/0!
Total Imports	0	2,969,424	#DIV/0!	0	15,115,811	#DIV/0!
Customer purchases from SF as a percent of total SF sales	2%	0%		0%	0%	
Customer Imports as a percent of total SF sales	0%	2%		0%	19%	
Customer Imports as a percent of purchases from SF	0%	1360%		0%	#DIV/0!	
Customer decline in purchases from SF as percent of total SF sales decline		0%			1%	
Customer import increase as percent of customer's decline in purchases from the SF		156%			27036%	
Customer import increase as percent of total SF sales during second time period		2%			19%	
Customer import increase as a percent of total SF sales decline		0%			270%	

**TA-W-80,410 - SOLYNDRA, LLC, FREMONT, CA**

	2009	2010	% change	Jan-AUG 2010	Jan-AUG 2011	% change
<b>Subject Firm Sales:</b>						

**Customer 5: PANELIZED STRUCTURES, INC., MODESTO, CA**

Purchases Subject Firm						
Purchases Other Domestic						
Percent other Domestic Foreign Made						
Other Domestic US Made						
Indirect imports						
Purchases Foreign Firms						
Total Imports						
Customer purchases from SF as a percent of total SF sales						
Customer Imports as a percent of total SF sales						
Customer Imports as a percent of purchases from SF						
Customer decline in purchases from SF as percent of total SF sales decline						
Customer import increase as percent of customer's decline in purchases from the SF						
Customer import increase as percent of total SF sales during second time period						
Customer import increase as a percent of total SF sales decline						

# TA-W-80,410 - SOLYNDRA, LLC, FREMONT, CA

	2009	2010	% change	Jan-AUG 2010	Jan-AUG 2011	% change
Subject Firm Sales:	100,500,000	145,700,000	45%	86,800,000	81,200,000	-6%

## Customer 6: HOWARD ELECTRIC, GOLDEN, CO

Purchases Subject Firm	309,339	2,692,610	770%	2,121,014	270,048	-87%
Purchases Other Domestic			#DIV/0!			#DIV/0!
Percent other Domestic Foreign Made						
Other Domestic US Made	0	0	#DIV/0!	0	0	#DIV/0!
Indirect imports	0	0	#DIV/0!	0	0	#DIV/0!
Purchases Foreign Firms			#DIV/0!			#DIV/0!
Total Imports	0	0	#DIV/0!	0	0	#DIV/0!
Customer purchases from SF as a percent of total SF sales	0%	2%		2%	0%	
Customer Imports as a percent of total SF sales	0%	0%		0%	0%	
Customer Imports as a percent of purchases from SF	0%	0%		0%	0%	
Customer decline in purchases from SF as percent of total SF sales decline		5%			33%	
Customer import increase as percent of customer's decline in purchases from the SF		0%			0%	
Customer import increase as percent of total SF sales during second time period		0%			0%	
Customer import increase as a percent of total SF sales decline		0%			0%	

**Solar Panel Vendors**

Period	Solyntra		United Solar Ovonics		ET Solar		Miasole	
	Quantity	Dollars	Quantity	Dollars	Quantity	Dollars	Quantity	Dollars
2009 Full Year	21,596	\$ 13,299,622.73	3,536	\$ 1,245,950.40	158	\$ 100,147.94	0	\$ -
2010 Full Year	9,137	\$ 4,320,775.86	16,497	\$ 4,606,227.20	310	\$ 156,007.50	0	\$ -
Jan thru Aug 2009	9,200	\$ 5,548,866.87	1,936	\$ 785,073.60	158	\$ 100,147.94	0	\$ -
Jan thru Aug 2010	3,362	\$ 1,735,738.21	5,575	\$ 1,766,830.40	310	\$ 156,007.50	0	\$ -
Jan thru Aug 2011	7,681	\$ 3,354,426.45	9,358	\$ 2,637,682.08	0	\$ -	1,600	\$ 216,000.00

**Part 1.**

	Purchases from the Subject Firm		Purchases from Other Firms Located in the U.S.		Imports into the U.S.	
	Quantity	Dollars	Quantity	Dollars	Quantity	Dollars
2009 Full Year	21,596	\$ 13,299,622.73	3,694	\$ 1,346,098.34		
2010 Full Year	9,137	\$ 4,320,775.86	16,807	\$ 4,762,234.70		
Jan thru Aug 2009	9,200	\$ 5,548,866.87	2,094	\$ 885,221.54		
Jan thru Aug 2010	3,362	\$ 1,735,738.21	5,885	\$ 1,922,837.90		
Jan thru Aug 2011	7,681	\$ 3,354,426.45	10,958	\$ 2,853,682.08		

Quantities provided are measured in :

Solar Panels

List Countries where imports originated:

Syntec did not import any article or service

**Part 1.2.**

For purchases made from Other Firms Located in the U.S. (identified in Question 1), was the product wholly or partially manufactured or service performed in a foreign country?

Yes

a) if Yes, indicate percentage of domestic purchases originating in foreign countries, if known:								
United Solar Ovonics	2009: < 50%	2010: < 50%	Jan - Aug 2009: < 50%	Jan - Aug 2010: < 50%	Jan - Aug 2011: < 50%			
ET Solar	2009: 100%	2010: 100%	Jan - Aug 2009: 100%	Jan - Aug 2010: 100%	Jan - Aug 2011: < 50%			
Miasole								

**Holz, Christian - ETA CTR**

Holz,

**From:** Holz, Christian - ETA CTR  
**Sent:** Tuesday, October 25, 2011 9:53 AM  
**To:** 'Shig Hamamatsu'  
**Cc:** Mendelsohn, Jacquelyn - ETA; Jaffe, Michael - ETA  
**Subject:** RE: US DOL - Federal Inquiry TAW-80410

Hello Shig,

Thank you for your prompt response! I highly appreciate it.

**Christian O. Holz**

**From:** Shig Hamamatsu [mailto:shig.hamamatsu@solyndra.com]  
**Sent:** Monday, October 24, 2011 5:02 PM  
**To:** Holz, Christian - ETA CTR  
**Cc:** Jaffe, Michael - ETA; Mendelsohn, Jacquelyn - ETA  
**Subject:** RE: US DOL - Federal Inquiry TAW-80410

Hello Christian:

- 1) We primarily sold our solar panels through distributors/installers.
- 2) In 2010, we sold approximately \$50M to the customers located in the United States (our total sales was approximately \$140M). Significant customers located in the United States included Allied Building Products, Orion Energy Systems, Carlisle Syntec, Panelized Structures and Howard Electric. ✓p ✓p 14th due 15th due 15th

Let me know if you need additional information.

Thanks,  
 Shig

Shig Hamamatsu  
 VP, Finance  
 Solyndra  
 Mobile (510) 449-5759

**From:** Holz, Christian - ETA CTR [mailto:Holz.Christian@dol.gov]  
**Sent:** Monday, October 24, 2011 1:51 PM  
**To:** Shig Hamamatsu  
**Cc:** Jaffe, Michael - ETA; Mendelsohn, Jacquelyn - ETA  
**Subject:** US DOL - Federal Inquiry TAW-80410  
**Importance:** High

Dear Mr. Hamamatsu,

As you may remember, you provided us with detailed company information as it relates to the Trade Adjustment Act petition that was filed on behalf of dislocated workers at your firm. Specifically, you completed a CDR on 9/15/2011.

We have some additional questions/concerns:

10/25/2011

- 1.) You indicated that your firm produced cylindrical solar panel systems for commercial rooftops. How were these items sold? Was it primarily to distributors/installers or directly to the final client?
- 2.) You provided us with a short list of customers. Was "Solar Power Inc." your only DOMESTIC client? If not, please provide a more list of all you clients located in the US during 2010, including approx. sales figures to these clients.

**Please respond by 10/27/2011.**

Please let me know you have any questions.

Thank you

**Christian O. Holz | Research**

U.S. Department of Labor – Employment and Training Administration

Office of Trade Adjustment Assistance (OTAA)

Phone: 202-693-3331 | Fax: 202-693-3584 | [holz.christian@dol.gov](mailto:holz.christian@dol.gov) | [www.doleta.gov/tradeact](http://www.doleta.gov/tradeact)

*"Facilius per partes in cognitionem totius adducimur." – Seneca*

*"Intelligendo est a three ora mucro. Vestri pars, suum pars, quod veru."*

*The information contained in this e-mail and any attached documents may be disclosed to the public in a response to a request submitted to the Department of Labor under the Freedom of Information Act or as part of an administrative record of a determination issued by the Department of Labor under chapter 2 of title II of the Trade Act of 1974, as amended, filed in a court. Responses to this communication, including any attached documents, also may be disclosed to the public. If you have an objection to such disclosure, please indicate so in a reply to this message. If you have received this communication in error, please notify the sender immediately by replying to this message and then delete it from your system. Thank you.*

10/25/2011



Reference Number: TA-W-80, 410

Subject Firm: Solyndra LLC

Location: Fremont, CA

Contact at the U.S. Department of Labor:

Stacey Lassiter

E-Mail: Lassiter.Stacey@dol.gov

Phone: (202) 693-3464

Fax: (202) 693-3986 or (202) 693-3584 or (202) 693-3585

Name of Customer and Location:

Solyndra LLC, Fremont, CA

### Part I

1. Report for the article or service your total purchases from the subject firm, other firms located in the United States, and firms located outside of the United States for the periods identified in the table below. Include like or directly competitive products or services. If there is no quantity or value, enter "zero" or "none".

Article or Service: Innovative cylindrical solar panel systems for installation on commercial rooftops.

Period	Purchases from the Subject Firm		Purchases from Other Firms Located in the U.S.		Imports into the U.S.	
	Quantity*	Dollars	Quantity*	Dollars	Quantity*	Dollars
2009 (Full Year)	621,070	2,119,812	400	860	0	0
2010 (Full Year)	68,087	218,384	1,488,700	2,287,557	1,746,720	2,969,424
Jan thru Aug 2010	17,472	55,910	914,210	1,709,573	0	0
Jan thru Aug 2011	0	0	2,067,870	3,566,241	9,812,250	15,115,811

\*Quantities provided are measured in (for example: units, kilograms, pounds, tons or hours of work provided for under contract, value contract, number of phone calls, etc): Watts

List countries where imports originated: China, Taiwan

2. For purchases made from Other Firms Located in the U.S. (identified in Question 1), was the product wholly or partially manufactured or service performed in a foreign country? Yes ☐ No ☒ **NOT SURE**

a) If "Yes", indicate percentage of domestic purchases originating in foreign countries, if known:

2007: _____ %	2008: _____ %	Jan thru Aug 2008: _____ %	Jan thru Aug 2009: _____ %
---------------	---------------	----------------------------	----------------------------

3. If your company's purchases from the subject firm have declined, please explain why:

Price of alternative (P.V.) dropped faster than Solyndra, making Solyndra non competitive

4. Does your firm produce articles directly incorporating component parts supplied by the subject firm (identified in Question 1) or using services supplied by the subject firm (identified in Question 1) Yes ☒ No ☐

### IMPORTANT!

If you reported increasing imports of the article or service identified in Question 1 OR answered "No" to Question 4, proceed to Part III, complete "Affirmative Information" and return this form to the DOL.



## Part II

5. Identify the article(s) into which your firm directly incorporates the components purchased from the subject firm or the article(s) produced using services supplied by the subject firm: Solar Systems

6. List all U.S. facilities of your firm, which produce articles incorporating components or services purchased from the subject firm:  
Solar Power Inc, 2240 Douglas Blvd., Roseville, CA 95661

7. Is your company switching from purchasing articles or services from the subject firm to purchasing articles or services from a supplier outside the U.S.? Yes ☒ No ☐ -Unless ARRA compliant product is specified

8. For each article identified in Question 5, provide the information requested on this page for the periods requested below. Please provide the applicable unit of measurement below each table. If there is no quantity or dollar value, enter "zero" (0) or "none".

Article identified in Question 5: <u>Solar Systems</u>		2009	2010	Jan thru Aug 2010	Jan thru Aug 2011
Your Firm's Total Sales	Dollars	52,551,000	34,036,000	18,841,218	28,595,804
	Quantity*				
Your Firm's U.S. Imports which contain U.S. manufactured / insert subject firm component part/ Modules	Dollars	2,120,672	3,045,941	1,765,482	3,566,241
	Quantity*	621,470	1,556,787	931,682	2,067,870
Your Firm's U.S. Imports which contain non-U.S. manufactured / insert subject firm component part/ Modules	Dollars	0	2,969,424	0	15,115,811
	Quantity*		1,746,720	0	9,812,250

List countries where U.S. imports originated: \_\_\_\_\_

\*Quantities provided are measured in (for example: units, kilograms, pounds, tons): Watts

9. If you reported declining sales for the periods identified above, please provide a list of your firm's foreign and domestic declining customers that account for the majority of your sales of the article identified in Question 5. Report the firm's sales for the periods identified in the table below. Reproduce and attach additional sheets as necessary.

		20	20	Jan thru 20	Jan thru 20
Company Name: _____ Address: _____	Dollars				
Contact/Buyer: _____ Phone: _____ Fax: _____ Email: _____	Quantity*				
Company Name: _____ Address: _____	Dollars				
Contact/Buyer: _____ Phone: _____ Fax: _____ Email: _____	Quantity*				
Company Name: _____ Address: _____	Dollars				
Contact/Buyer: _____ Phone: _____ Fax: _____ Email: _____	Quantity*				



\*Quantities provided are measured in:

(For example: units, kilograms, pounds, tons.)

Part III

**Affirmation of Information:**

The information you provide on this form will be used for the purposes of determining worker group eligibility. Knowingly falsifying any information on this form is a Federal offense (18 USC § 1001) and a violation of the Trade Act (19 USC § 2316). By signing below, you agree to the following statement:

"Under penalty of law, I declare that to the best of my knowledge and belief the information I have provided is true, correct, and complete."

NAME OF COMPANY OFFICIAL: Jeff Winzeler

TITLE: CFO

SIGNATURE: [Signature]

DATE: 9/21/11

BUSINESS ADDRESS: 2240 Douglas Blvd, Roseville

CA 95661

E-MAIL ADDRESS: JWINZELER@SPESOLAR.com

TELEPHONE  
NUMBER: 916 770 8160

FAX NUMBER:

916 770-8199



### Processing Instructions

A petition for Trade Adjustment Assistance (TAA) has been filed on behalf of a group of workers at Solyndra LLC., Fremont, CA. As a customer of that firm, the U.S. Department of Labor needs your help in determining whether that firm has been hurt by foreign trade. Your assistance in expeditiously completing this form is necessary for the U.S. Department of Labor to determine whether these workers may be eligible for federal benefits. By law, this determination must be made within a certain time period following the filing date of the petition (19 U.S.C. 2273(a)). The Secretary of Labor is authorized to obtain this information through subpoena if you fail to comply with this request (19 U.S.C. 2272(e)(3)(B)). Accordingly, please complete and return this form no later than September 23, 2011.

**Background:** The Trade Act of 1974 (19 USC § 2271 et seq.), as amended, established Trade Adjustment Assistance (TAA) to provide assistance to workers in firms with a decline in sales or a decline in production of articles or supply of services affected by imports of articles or services from foreign countries or shifts in production or services to foreign countries, and to workers in public agencies that have shifted the provision of a service to a foreign country. After receiving a TAA petition, TAA investigators analyze the facts to determine whether increased imports or shifts in production contributed importantly to the workers' actual or threatened layoffs or work reductions and to determine whether the required minimum proportion of the workforce has either been laid off or is threatened with layoffs. The TAA Program provides petitioners with both rapid and early assistance. Once a petition has been granted and workers are certified as eligible to participate in the TAA program, workers covered by a certification may contact their state workforce agency to apply for additional reemployment assistance including long-term training while receiving income support and other benefits. **These benefits are provided at no expense to employers.**

**Completing Form:** Type or print legibly. Complete all sections unless directed otherwise. Attach additional sheets if necessary. If there is no quantity or value, enter "zero" or "none". On a separate sheet, please add any relevant information not covered in this form, and attach any supporting documents. If you have any difficulty completing this form or have questions, please contact Stacey Lassiter.

**Confidentiality:** All information submitted under this request will be used to determine whether the criteria for certification of the workers covered by a petition have been satisfied. The U.S. Department of Labor will protect the confidentiality of the information you provide to the full extent of the law, in accordance with the Trade Act, 19 USC 2272(e)(3)(c), the Trade Secrets Act, 18 USC 1905, the Freedom of Information Act, 5 U.S.C. 552, and 29 CFR Parts 70 and 90.

**Public Burden Statement:** Persons are not required to respond to this collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. Responding is mandatory (19 USC 2321). Public reporting burden for this collection is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, Trade Adjustment Assistance Program, Room N-5428, 200 Constitution Ave., N.W., Washington, DC 20210 (Paperwork Reduction Project 1205-0342).



Reference Number: TA-W-80,410  
Subject Firm: Solyndra, LLC  
Location: Fremont, California

Contact at the U.S. Department of Labor: Stacey Lassiter  
Phone: (202) 693-3464 E-Mail: Lassiter.Stacey@dol.gov  
Fax: (202) 693-3986 or (202) 693-3584 or (202) 693-3585

Name of Customer and Location: Howard Electric, Golden, Co

### Part I

1. Report for the article or service your total purchases from the subject firm, other firms located in the United States, and firms located outside of the United States for the periods identified in the table below. Include like or directly competitive products or services. If there is no quantity or value, enter "zero" or "none".

Article or Service: Solar panel systems

Period	Purchases from the Subject Firm		Purchases from Other Firms Located in the U.S.		Imports into the U.S.	
	Quantity*	Dollars	Quantity*	Dollars	Quantity*	Dollars
2009 (Full Year)	528	309,339.48	0	0	0	0
2010 (Full Year)	6552	2,692,410.00	0	0	0	0
Jan thru Aug 2010	5447	2,121,214.25	0	0	0	0
Jan thru Aug 2011	668	270,048.20	0	0	0	0

\*Quantities provided are measured in (for example: units, kilograms, pounds, tons or hours of work provided for under contract, value contract, number of phone calls, etc):

List countries where imports originated: N/A

2. For purchases made from Other Firms Located in the U.S. (identified in Question 1), was the product wholly or partially manufactured or service performed in a foreign country? Yes ☐ No ☒

a) If "Yes", indicate percentage of domestic purchases originating in foreign countries, if known:

2009: _____%	2010: _____%	Jan thru Aug 2010: _____%	Jan thru Aug 2011: _____%
--------------	--------------	---------------------------	---------------------------

3. If your company's purchases from the subject firm have declined, please explain why:

Company is in Bankruptcy

4. Does your firm produce articles directly incorporating component parts supplied by the subject firm (identified in Question 1) or using services supplied by the subject firm (identified in Question 1) Yes ☒ No ☐

### IMPORTANT!

If you reported increasing imports of the article or service identified in Question 1 OR answered "No" to Question 4, proceed to Part III, complete "Affirmative Information" and return this form to the DOL.



Part II

5. Identify the article(s) into which your firm directly incorporates the components purchased from the subject firm or the article(s) produced using services supplied by the subject firm:

6. List all U.S. facilities of your firm, which produce articles incorporating components or services purchased from the subject firm:

7. Is your company switching from purchasing articles or services from the subject firm to purchasing articles or services from a supplier outside the U.S.? Yes ☐ No ☐

8. For each article identified in Question 5, provide the information requested on this page for the periods requested below. Please provide the applicable unit of measurement below each table. If there is no quantity or dollar value, enter "zero" (0) or "none".

Article identified in Question 5:		2009	2010	Jan thru Aug 2010	Jan thru Aug 2011
Your Firm's Total Sales	Dollars				
	Quantity*				
Your Firm's U.S. Imports which contain U.S. manufactured solar panel systems	Dollars				
	Quantity*				
Your Firm's U.S. Imports which contain non-U.S. manufactured solar panel systems	Dollars				
	Quantity*				

List countries where U.S. imports originated:

\*Quantities provided are measured in (for example: units, kilograms, pounds, tons):

9. If you reported declining sales for the periods identified above, please provide a list of your firm's foreign and domestic declining customers that account for the majority of your sales of the article identified in Question 5. Report the firm's sales for the periods identified in the table below. Reproduce and attach additional sheets as necessary.

		2009	2010	Jan thru Aug 2010	Jan thru Aug 2011
Company Name:					
Address:	Dollars				
Contact/Buyer:					
Phone:	Quantity*				
Fax:					
Email:					
Company Name:					
Address:	Dollars				
Contact/Buyer:					
Phone:	Quantity*				
Fax:					
Email:					
Company Name:					
Address:	Dollars				
Contact/Buyer:					
Phone:	Quantity*				
Fax:					
Email:					



\*Quantities provided are measured in:

(For example: units, kilograms, pounds, tons.)

**Part III**

**Affirmation of Information:**

The information you provide on this form will be used for the purposes of determining worker group eligibility. Knowingly falsifying any information on this form is a Federal offense (18 USC § 1001) and a violation of the Trade Act (19 USC § 2316). By signing below, you agree to the following statement:

"Under penalty of law, I declare that to the best of my knowledge and belief the information I have provided is true, correct, and complete."

NAME OF COMPANY OFFICIAL:

Jack Howard

TITLE:

Sec / Treas

SIGNATURE:

[Signature]

DATE: 11-16-11

BUSINESS ADDRESS: 720 Corporate Circle, Ste B, Golden CO 80401

E-MAIL ADDRESS: howard.electric@qwestoffice.net

TELEPHONE  
NUMBER:

303-271-1171

FAX NUMBER:

303-271-1399



Reference Number: TA-W-80,410  
Subject Firm: Solyndra, LLC  
Location: Fremont, California

Contact at the U.S. Department of Labor: Stacey Lassiter E-Mail: Lassiter.Stacey@dol.gov  
Phone: (202) 693-3464 Fax: (202) 693-3986 or (202) 693-3584 or (202) 693-3585

Name of Customer and Location: Howard Electric, Golden, Co

### Part I

1. Report for the article or service your total purchases from the subject firm, other firms located in the United States, and firms located outside of the United States for the periods identified in the table below. Include like or directly competitive products or services. If there is no quantity or value, enter "zero" or "none".

Article or Service: Solar panel systems

Period	Purchases from the Subject Firm		Purchases from Other Firms Located in the U.S.		Imports into the U.S.	
	Quantity*	Dollars	Quantity*	Dollars	Quantity*	Dollars
2009 (Full Year)	528	309,339.48	0	0	0	0
2010 (Full Year)	6552	2,692,10.00	0	0	0	0
Jan thru Aug 2010	5447	2,124,14.25	0	0	0	0
Jan thru Aug 2011	668	270,048.20	0	0	0	0

\*Quantities provided are measured in (for example: units, kilograms, pounds, tons or hours of work provided for under contract, value contract, number of phone calls, etc):

List countries where imports originated:

N/A

2. For purchases made from Other Firms Located in the U.S. (identified in Question 1), was the product wholly or partially manufactured or service performed in a foreign country? Yes ☐ No ☐

a) If "Yes", indicate percentage of domestic purchases originating in foreign countries, if known:

2009: _____%	2010: _____%	Jan thru Aug 2010: _____%	Jan thru Aug 2011: _____%
--------------	--------------	---------------------------	---------------------------

3. If your company's purchases from the subject firm have declined, please explain why:

Company is in Bankruptcy

4. Does your firm produce articles directly incorporating component parts supplied by the subject firm (identified in Question 1) or using services supplied by the subject firm (identified in Question 1) Yes ☒ No ☐

### IMPORTANT!

If you reported increasing imports of the article or service identified in Question 1 OR answered "No" to Question 4, proceed to Part III, complete "Affirmative Information" and return this form to the DOL.



Part II

5. Identify the article(s) into which your firm directly incorporates the components purchased from the subject firm or the article(s) produced using services supplied by the subject firm: \_\_\_\_\_

6. List all U.S. facilities of your firm, which produce articles incorporating components or services purchased from the subject firm: \_\_\_\_\_

7. Is your company switching from purchasing articles or services from the subject firm to purchasing articles or services from a supplier outside the U.S.? Yes ☐ No ☐

8. For each article identified in Question 5, provide the information requested on this page for the periods requested below. Please provide the applicable unit of measurement below each table. If there is no quantity or dollar value, enter "zero" (0) or "none".

Article identified in Question 5: _____		2009	2010	Jan thru Aug 2010	Jan thru Aug 2011
Your Firm's Total Sales	Dollars				
	Quantity*				
Your Firm's U.S. Imports which contain U.S. manufactured solar panel systems	Dollars				
	Quantity*				
Your Firm's U.S. Imports which contain non-U.S. manufactured solar panel systems	Dollars				
	Quantity*				

List countries where U.S. imports originated: \_\_\_\_\_

\*Quantities provided are measured in (for example: units, kilograms, pounds, tons): \_\_\_\_\_

9. If you reported declining sales for the periods identified above, please provide a list of your firm's foreign and domestic declining customers that account for the majority of your sales of the article identified in Question 5. Report the firm's sales for the periods identified in the table below. Reproduce and attach additional sheets as necessary.

		2009	2010	Jan thru Aug 2010	Jan thru Aug 2011
Company Name: _____	Dollars				
Address: _____					
Contact/Buyer: _____	Quantity*				
Phone: _____ Fax: _____					
Email: _____					

Company Name: _____	Dollars				
Address: _____					
Contact/Buyer: _____	Quantity*				
Phone: _____ Fax: _____					
Email: _____					

Company Name: _____	Dollars				
Address: _____					
Contact/Buyer: _____	Quantity*				
Phone: _____ Fax: _____					
Email: _____					



\*Quantities provided are measured in:

(For example: units, kilograms, pounds, tons.)

Part II

**Affirmation of Information:**

The information you provide on this form will be used for the purposes of determining worker group eligibility. Knowingly falsifying any information on this form is a Federal offense (18 USC § 1001) and a violation of the Trade Act (19 USC § 2316). By signing below, you agree to the following statement:

"Under penalty of law, I declare that to the best of my knowledge and belief the information I have provided is true, correct, and complete."

NAME OF COMPANY OFFICIAL:

Jack Howard

TITLE:

Sec / Trn

SIGNATURE:

[Signature]

DATE: 11-16-11

BUSINESS ADDRESS:

720 Corporate Circle, Ste B, Golden CO 80401

E-MAIL ADDRESS:

howard.electric@questoffice.net

TELEPHONE  
NUMBER:

303-271-1171

FAX NUMBER:

303-271-1399

# YAHOO! NEWS

## Emails: Energy Dept. tried to delay solar layoffs

**AP** Associated Press By MATTHEW DALY | AP — 22 hrs ago

WASHINGTON (AP) — The Obama administration wanted the failing solar energy company Solyndra to employee layoffs until after the 2010 midterm elections, according to newly released emails.

An October 2010 email from a Solyndra investment adviser to a colleague said Energy Department officials Cupid just got a serious upgrade. Niecy Nash hosts LET'S TALK ABOUT LOVE Only on Yahoo!  The email was part of a series of communications that revealed the company's financial struggles and the administration's attempts to manage the fallout from the Solyndra scandal.

"Oddly they didn't give a reason for that date," the email states. The email was released Wednesday by the House Energy Committee, along with dozens of other emails related to the Solyndra investigation.

Last week, the White House said congressional Republicans were using the Solyndra investigation as a political tool. Sen. Al Franken said at the time that GOP lawmakers have "cherry-picked" certain documents trying to create controversy, but that the White House insists involved no political influence.

Solyndra announced dozens of layoffs on Nov. 3, 2010, after the election, but continued to receive federal loans. It received a \$528 million federal loan in 2009, closed its doors on Aug. 31, 2011 and laid off its 1,100 workers.

The Oct. 30, 2010, email was from Steve Mitchell, managing director of Argonaut Private Equity, a major investor in Solyndra. Mitchell is an Oklahoma billionaire who founded Argonaut and other firms. Kaiser was a "bundler" for President Barack Obama and a White House visitor in 2009 and 2010. Argonaut invested \$400 million in the solar company. Mitchell and

Ken Levit, executive director of the George Kaiser Family Foundation, also received the email.

Energy Department spokesman Damien LaVera on Tuesday declined to confirm events described in the emails, saying the department may have urged the delay in the layoff announcement. He said "decisions about this loan were made on a technical basis."

Energy Secretary Steven Chu is scheduled to testify before the House energy panel on Thursday.

Solyndra's implosion and revelations that administration officials rushed to complete the loan in time for the 2010 election have become an embarrassment for Obama and a rallying cry for GOP critics of his green energy program.

The Republican-controlled energy panel has subpoenaed White House communications on Solyndra and related to the company.

The emails released Wednesday show that then-Solyndra CEO Brian Harrison warned the Energy Department to announce layoffs in three days. He wrote that reporters were asking about rumored layoffs and the possibility of a government takeover.

Five days later, Mitchell wrote his email to Kaiser and Levit, the Kaiser foundation executive.

## Holz, Christian - ETA CTR

---

**From:** Azfar Qureshi [azfar.qureshi@solyndra.com]  
**Sent:** Thursday, November 03, 2011 5:41 PM  
**To:** Shig Hamamatsu; Holz, Christian - ETA CTR  
**Cc:** Jaffe, Michael - ETA; Mendelsohn, Jacquelyn - ETA  
**Subject:** RE: US DOL - Federal Inquiry TAW-80410  
[Here's the requested address.](#)

Howard Electric  
720 Corporate Circle, Suite R  
Golden Co, 80401

Let me know if you need anything else.

Regards,

AQ

Azfar Qureshi  
Director of Finance  
Solyndra LLC  
W 510-440-2965  
M 408-857-1875  
eFax: (510) 662-4954  
[Azfar.Qureshi@solyndra.com](mailto:Azfar.Qureshi@solyndra.com)

 **SOLYNDRA**

---

**From:** Shig Hamamatsu  
**Sent:** Thursday, November 03, 2011 1:01 PM  
**To:** Azfar Qureshi; Holz, Christian - ETA CTR  
**Cc:** Jaffe, Michael - ETA; Mendelsohn, Jacquelyn - ETA  
**Subject:** RE: US DOL - Federal Inquiry TAW-80410

Azfar,

If you haven't done yet, can you let DOL folks know the exact address of Howard Electric?

Shig

---

**From:** Shig Hamamatsu  
**Sent:** Monday, October 24, 2011 2:02 PM  
**To:** 'Holz, Christian - ETA CTR'  
**Cc:** Jaffe, Michael - ETA; Mendelsohn, Jacquelyn - ETA  
**Subject:** RE: US DOL - Federal Inquiry TAW-80410

Hello Christian:

11/3/2011

- 1) We primarily sold our solar panels through distributors/installers.
- 2) In 2010, we sold approximately \$50M to the customers located in the United States (our total sales was approximately \$140M). Significant customers located in the United States included Allied Building Products, Orion Energy Systems, Carlisle Syntec, Panelized Structures and Howard Electric.

Let me know if you need additional information.

Thanks,  
Shig

Shig Hamamatsu  
VP, Finance  
Solyndra  
Mobile (510) 449-5759

---

**From:** Holz, Christian - ETA CTR [mailto:Holz.Christian@dol.gov]  
**Sent:** Monday, October 24, 2011 1:51 PM  
**To:** Shig Hamamatsu  
**Cc:** Jaffe, Michael - ETA; Mendelsohn, Jacquelyn - ETA  
**Subject:** US DOL - Federal Inquiry TAW-80410  
**Importance:** High

Dear Mr. Hamamatsu,

As you may remember, you provided us with detailed company information as it relates to the Trade Adjustment Act petition that was filed on behalf of dislocated workers at your firm. Specifically, you completed a CDR on 9/15/2011.

We have some additional questions/concerns:

- 1.) You indicated that your firm produced cylindrical solar panel systems for commercial rooftops. How were these items sold? Was it primarily to distributors/installers or directly to the final client?
- 2.) You provided us with a short list of customers. Was "Solar Power Inc." your only DOMESTIC client? If not, please provide a more list of all you clients located in the US during 2010, including approx. sales figures to these clients.

**Please respond by 10/27/2011.**

Please let me know you have any questions.

Thank you

**Christian O. Holz | Research**

U.S. Department of Labor – Employment and Training Administration

Office of Trade Adjustment Assistance (OTAA)

Phone: 202-693-3331 | Fax: 202-693-3584 | [holz.christian@dol.gov](mailto:holz.christian@dol.gov) | [www.doleta.gov/tradeact](http://www.doleta.gov/tradeact)

*"Facilius per partes in cognitionem totius adducimur." – Seneca*  
*"Intelligendo est a three ora mucro. Vestri pars , suum pars , quod veru."*

The information contained in this e-mail and any attached documents may be disclosed to the public in a response to a request submitted to the Department of Labor under the Freedom of Information Act or as part of an administrative record of a determination issued by the Department of Labor under chapter 2 of title II of the Trade Act of 1974, as amended, filed in a court. Responses to this communication, including any attached documents, also may be disclosed to the public. If you have

11/3/2011

*an objection to such disclosure, please indicate so in a reply to this message. If you have received this communication in error, please notify the sender immediately by replying to this message and then delete it from your system. Thank you.*

11/3/2011

**Holz, Christian - ETA CTR**

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**From:** Lassiter, Stacey - ETA CTR  
**Sent:** Tuesday, November 15, 2011 8:44 AM  
**To:** Holz, Christian - ETA CTR  
**Subject:** FW: Jan to August 2011 numbers: Allied  
**Importance:** High

Here we go! Already saved on email drive. Thanks

---

**From:** David.Jenkins@alliedbuilding.com [mailto:David.Jenkins@alliedbuilding.com]  
**Sent:** Monday, November 14, 2011 3:24 PM  
**To:** Lassiter, Stacey - ETA CTR  
**Subject:** Jan to August 2011 numbers: Allied  
**Importance:** High

Stacey,

Please see the attached numbers to complete your request:

Jan to Aug 2011	<u>Solyndra</u>	<u>Other US firms</u>	Imported PV panels
	\$ 9,697,210	\$ 4,475,019	\$ 1,320,239

Thank you.

Dave

11/15/2011



Reference Number: TA-W-80,410

Subject Firm: Solyndra, LLC

Location: Fremont, California

Contact at the U.S. Department of Labor:

Stacey Lassiter

E-Mail: Lassiter.Stacey@dol.gov

Phone: (202) 693-3464

Fax: (202) 693-3986 or (202) 693-3584 or (202) 693-3585

Name of Customer and Location:

Allied Building Products Corporation, East Rutherford, NJ

1. Report for the article your total purchases from the subject firm, other firms located in the United States, and firms located outside of the United States for the periods identified in the table below. Include like or directly competitive products or services. If there is no quantity or value, enter "zero" or "none".

Article or Service: Solar panel systems

Period	Purchases from the Subject Firm		Purchases from Other Firms Located in the U.S.		Imports into the U.S.	
	Quantity*	Dollars	Quantity*	Dollars	Quantity*	Dollars
2009 (Full Year)	None	2,438,971	None	74,175	None	0
2010 (Full Year)	None	10,959,408	None	2,740,275	None	0
Jan thru Aug 2009	None	0	None	0		0
Jan thru Aug 2010	None	6,517,939	None	1,290,780		0

\*Quantities provided are measured in (for example: units, kilograms, pounds, tons or hours of work provided for under contract, value contract, number of phone calls, etc):

List countries where imports originated: n/a

2. For purchases made from Other Firms Located in the U.S. (identified in Question 1), was the product wholly or partially manufactured or service performed in a foreign country? Yes ☐ No ☒

a) If "Yes", indicate percentage of domestic purchases originating in foreign countries, if known:

20	:	____%	20	:	____%	Jan thru Aug 2010:	____%	Jan thru Aug 2011:	____%
----	---	-------	----	---	-------	--------------------	-------	--------------------	-------

3. If your company's purchases from the subject firm have declined, please explain why:

Solyndra bankruptcy / insolvency

4. Does your firm produce articles directly incorporating component parts supplied by the subject firm (identified in Question 1)  
Yes ☐ No ☒

### IMPORTANT!

If you reported increasing imports of the article or service identified in Question 1 OR answered "No" to Question 4, proceed to Part III, complete "Affirmative Information" and return this form to the DOL.



5. Identify the article(s) into which your firm directly incorporates the components purchased from the subject firm: N/A. We are a distributor and resell the component purchased.

6. List all U.S. facilities of your firm, which produce articles incorporating components or services purchased from the subject firm:  
N/A

7. Is your company switching from purchasing articles from the subject firm to purchasing articles or services from a supplier outside the U.S.? Yes ☒ No ☐

8. For each article identified in Question 5, provide the information requested on this page for the periods requested below. Please provide the applicable unit of measurement below each table. If there is no quantity or dollar value, enter "zero" (0) or "none".

Article identified in Question 5: <u>N/A</u>		2009	2010	Jan thru Aug 2010	Jan thru Aug 2011
Your Firm's Total Sales	Dollars				
	Quantity*				
Your Firm's U.S. Imports which contain U.S. manufactured solar panel systems	Dollars	0	0	0	0
	Quantity*				
Your Firm's U.S. Imports which contain non-U.S. manufactured solar panel systems	Dollars	0	0	0	1,320,239
	Quantity*				None

List countries where U.S. imports originated: China, Korea

\*Quantities provided are measured in (for example: units, kilograms, pounds, tons):

9. If you reported declining sales for the periods identified above, please provide a list of your firm's foreign and domestic declining customers that account for the majority of your sales of the article identified in Question 5. Report the firm's sales for the periods identified in the table below. Reproduce and attach additional sheets as necessary.

Note: Question 9 not applicable.

		20	20	Jan thru 20	Jan thru 20
Company Name:	Dollars				
Address:					
Contact/Buyer:	Quantity*				
Phone: Fax:					
Email:					

Company Name:	Dollars				
Address:					
Contact/Buyer:	Quantity*				
Phone: Fax:					
Email:					

Company Name:	Dollars				
Address:					
Contact/Buyer:	Quantity*				
Phone: Fax:					
Email:					



\*Quantities provided are measured in:

(For example: units, kilograms, pounds, tons.)

**Affirmation of Information:**

The information you provide on this form will be used for the purposes of determining worker group eligibility. Knowingly falsifying any information on this form is a Federal offense (18 USC § 1001) and a violation of the Trade Act (19 USC § 2316). By signing below, you agree to the following statement:

"Under penalty of law, I declare that to the best of my knowledge and belief the information I have provided is true, correct, and complete."

NAME OF COMPANY OFFICIAL: David Jenkins

TITLE: General Manager, Solar Division

SIGNATURE: 

DATE: 11/4/11

BUSINESS ADDRESS: 15 East Union Avenue, East Rutherford, NJ 07073

E-MAIL ADDRESS: David.jenkins@alliedbuilding.com

TELEPHONE  
NUMBER: 201-507-2564

FAX NUMBER: 201-507-6088



Reference Number: TA-W-80,410  
Subject Firm: Solyndra, LLC  
Location: Fremont, California

Contact at the U.S. Department of Labor: Stacey Lassiter E-Mail: Lassiter.Stacey@dol.gov  
Phone: (202) 693-3464 Fax: (202) 693-3986 or (202) 693-3584 or (202) 693-3585

Name of Customer and Location: Orion Energy Systems, Manitowoc, WI

### Part I

1. Report for the article your total purchases from the subject firm, other firms located in the United States, and firms located outside of the United States for the periods identified in the table below. Include like or directly competitive products or services. If there is no quantity or value, enter "zero" or "none".

Article or Service: Solar panel systems

Period	Purchases from the Subject Firm		Purchases from Other Firms Located in the U.S.		Imports into the U.S.	
	Quantity*	Dollars	Quantity*	Dollars	Quantity*	Dollars
2009 (Full Year)	3744 panels	18,046.25				
2010 (Full Year)	28,096 panels	6,422,065.10	154 panels	83,587.00		
Jan thru Aug 2009	0	10,227.84				
Jan thru Aug 2010	8,656 panels	1,940,361.50				

\*Quantities provided are measured in (for example: units, kilograms, pounds, tons or hours of work provided for under contract, value contract, number of phone calls, etc):

List countries where imports originated:

2. For purchases made from Other Firms Located in the U.S. (identified in Question 1), was the product wholly or partially manufactured or service performed in a foreign country? Yes ☐ No ☒

a) If "Yes", indicate percentage of domestic purchases originating in foreign countries, if known:

20	:	____%	20	:	____%	Jan thru Aug 2010:	____%	Jan thru Aug 2011:	____%
----	---	-------	----	---	-------	--------------------	-------	--------------------	-------

3. If your company's purchases from the subject firm have declined, please explain why:  
Solyndra panels are no longer manufactured.

4. Does your firm produce articles directly incorporating component parts supplied by the subject firm (identified in Question 1)?  
Yes ☐ No ☒

### IMPORTANT!

If you reported increasing imports of the article or service identified in Question 1 OR answered "No" to Question 4, proceed to Part III, complete "Affirmative Information" and return this form to the DOL.



## Part II

5. Identify the article(s) into which your firm directly incorporates the components purchased from the subject firm: \_\_\_\_\_

6. List all U.S. facilities of your firm, which produce articles incorporating components or services purchased from the subject firm: \_\_\_\_\_

7. Is your company switching from purchasing articles from the subject firm to purchasing articles or services from a supplier outside the U.S.? Yes ☐ No ☐

8. For each article identified in Question 5, provide the information requested on this page for the periods requested below. Please provide the applicable unit of measurement below each table. If there is no quantity or dollar value, enter "zero" (0) or "none".

Article identified in Question 5: _____		2009	2010	Jan thru Aug 2010	Jan thru Aug 2011
Your Firm's Total Sales	Dollars				
	Quantity*				
Your Firm's U.S. Imports which contain U.S. manufactured solar panel systems	Dollars				
	Quantity*				
Your Firm's U.S. Imports which contain non-U.S. manufactured solar panel systems	Dollars				
	Quantity*				

List countries where U.S. imports originated: \_\_\_\_\_

\*Quantities provided are measured in (for example: units, kilograms, pounds, tons): \_\_\_\_\_

9. If you reported declining sales for the periods identified above, please provide a list of your firm's foreign *and* domestic declining customers that account for the majority of your sales of the article identified in Question 5. Report the firm's sales for the periods identified in the table below. Reproduce and attach additional sheets as necessary.

		20	20	Jan thru 20	Jan thru 20
Company Name: _____ Address: _____	Dollars				
Contact/Buyer: _____ Phone: _____ Fax: _____ Email: _____	Quantity*				
Company Name: _____ Address: _____	Dollars				
Contact/Buyer: _____ Phone: _____ Fax: _____ Email: _____	Quantity*				
Company Name: _____ Address: _____	Dollars				
Contact/Buyer: _____ Phone: _____ Fax: _____ Email: _____	Quantity*				



\*Quantities provided are measured in:

(For example: units, kilograms, pounds, tons.)

**Part III**

**Affirmation of Information:**

The information you provide on this form will be used for the purposes of determining worker group eligibility. Knowingly falsifying any information on this form is a Federal offense (18 USC § 1001) and a violation of the Trade Act (19 USC § 2316). By signing below, you agree to the following statement:

"Under penalty of law, I declare that to the best of my knowledge and belief the information I have provided is true, correct, and complete."

NAME OF COMPANY OFFICIAL:

PAUL J. KARDISH

TITLE:

General Counsel

SIGNATURE:

DATE:

11/8/11

BUSINESS ADDRESS: 2210 Woodland Drive

E-MAIL ADDRESS:

TELEPHONE  
NUMBER:

FAX NUMBER:

**Holz, Christian - ETA CTR**

---

**From:** Lassiter, Stacey - ETA CTR  
**Sent:** Monday, November 14, 2011 2:22 PM  
**To:** Holz, Christian - ETA CTR  
**Subject:** FW: Orion Response to TAA Request

---

**From:** Paul Kardish [mailto:pkardish@oesx.com]  
**Sent:** Monday, November 14, 2011 12:50 PM  
**To:** Lassiter, Stacey - ETA CTR  
**Subject:** RE: Orion Response to TAA Request

---

That is correct

---

**From:** Lassiter, Stacey - ETA CTR [mailto:Lassiter.Stacey@dol.gov]  
**Sent:** Monday, November 14, 2011 9:56 AM  
**To:** Paul Kardish  
**Subject:** RE: Orion Response to TAA Request

---

I've received your response to the Customer Survey. The boxes that don't have any numbers filled in, is your response to the questions "0"?

---

**From:** Paul Kardish [mailto:pkardish@oesx.com]  
**Sent:** Monday, November 14, 2011 9:54 AM  
**To:** Lassiter, Stacey - ETA CTR  
**Subject:** RE: Orion Response to TAA Request

---

**From:** Lassiter, Stacey - ETA CTR [mailto:Lassiter.Stacey@dol.gov]  
**Sent:** Thursday, November 10, 2011 10:51 AM  
**To:** Paul Kardish  
**Subject:** FW: Orion Response to TAA Request

---

Thank you in advance for your participation in this matter. As stated below, would you please provide information re: Jan thru Aug 2011  
Information,concerning Part I.

---

**From:** Lassiter, Stacey - ETA CTR  
**Sent:** Tuesday, November 08, 2011 10:45 AM  
**To:** 'Paul Kardish'  
**Cc:** 'Heather Geiger'  
**Subject:** RE: Orion Response to TAA Request

---

As an addendum, would you please provide information for Jan thru Aug 2011 in regards to the information given in Part I of the survey (Purchases from the Subject Firm/Quantity-Dollars| Purchases from Other Firms Located in the US| Imports into the US. Thank you.

---

11/14/2011

**From:** Paul Kardish [mailto:pkardish@oesx.com]  
**Sent:** Tuesday, November 08, 2011 10:31 AM  
**To:** Lassiter, Stacey - ETA CTR  
**Cc:** Heather Geiger  
**Subject:** Orion Response to TAA Request

Stacey,

Attached, please find Orion Energy Systems, Inc.'s response to your TAA request for information.

Should you have any questions, please do not hesitate to contact Heather or me.

Thank you,

Paul J. Kardish  
Vice President and General Counsel  
Orion Energy Systems, Inc.  
2210 Woodland Drive  
Manitowoc, WI 54220  
920.892.5438  
[pkardish@oesx.com](mailto:pkardish@oesx.com)

**PREPARED BY ORION ENERGY SYSTEMS, INC. ATTORNEY / PRIVILEGE REVIEW REQUIRED**

*This e-mail and its attachments, if any, may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify me of the misdirection by reply e-mail.*

**DISCLAIMER:**

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**DISCLAIMER:**

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11/14/2011

read it, (ii) reply to the sender that you received the message in error, and (iii) erase or destroy the message.

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Reference Number: TA-W-80,410

Subject Firm: Solyndra, LLC

Location: Fremont, California

Contact at the U.S. Department of Labor:

Stacey Lassiter

E-Mail: Lassiter.Stacey@dol.gov

Phone: (202) 693-3464

Fax: (202) 693-3986 or (202) 693-3584 or (202) 693-3585

Name of Customer and Location:

Orion Energy Systems, Manitowoc, WI

### Part I

1. Report for the article your total purchases from the subject firm, other firms located in the United States, and firms located outside of the United States for the periods identified in the table below. Include like or directly competitive products or services. If there is no quantity or value, enter "zero" or "none".

Article or Service: Solar panel systems

Period	Purchases from the Subject Firm		Purchases from Other Firms Located in the U.S.		Imports into the U.S.	
	Quantity*	Dollars	Quantity*	Dollars	Quantity*	Dollars
2009 (Full Year)	3744 panels	18,046.25				
2010 (Full Year)	28,096 panels	6,422,065.10	154 panels	83,587.00		
Jan thru Aug 2009	0	10,227.84				
Jan thru Aug 2010	8,656 panels	1,940,361.50				
2011 (full year)	22,326 panels	14,060,989.14				

\*Quantities provided are measured in (for example: units, kilograms, pounds, tons or hours of work provided for under contract, value contract, number of phone calls, etc):

List countries where imports originated:

2. For purchases made from Other Firms Located in the U.S. (identified in Question 1), was the product wholly or partially manufactured or service performed in a foreign country? Yes ☐ No ☒

a) If "Yes", indicate percentage of domestic purchases originating in foreign countries, if known:

20	:	____%	20	:	____%	Jan thru Aug 2010:	____%	Jan thru Aug 2011:	____%
----	---	-------	----	---	-------	--------------------	-------	--------------------	-------

3. If your company's purchases from the subject firm have declined, please explain why:

Solyndra panels are no longer manufactured.

4. Does your firm produce articles directly incorporating component parts supplied by the subject firm (identified in Question 1)  
Yes ☐ No ☒

### IMPORTANT!

If you reported increasing imports of the article or service identified in Question 1 OR answered "No" to Question 4, proceed to Part III, complete "Affirmative Information" and return this form to the DOL.



## Part II

5. Identify the article(s) into which your firm directly incorporates the components purchased from the subject firm: \_\_\_\_\_

6. List all U.S. facilities of your firm, which produce articles incorporating components or services purchased from the subject firm: \_\_\_\_\_

7. Is your company switching from purchasing articles from the subject firm to purchasing articles or services from a supplier outside the U.S.? Yes ☐ No ☐

8. For each article identified in Question 5, provide the information requested on this page for the periods requested below. Please provide the applicable unit of measurement below each table. If there is no quantity or dollar value, enter "zero" (0) or "none".

Article identified in Question 5: _____		2009	2010	Jan thru Aug 2010	Jan thru Aug 2011
Your Firm's Total Sales	Dollars				
	Quantity*				
Your Firm's U.S. Imports which contain U.S. manufactured solar panel systems	Dollars				
	Quantity*				
Your Firm's U.S. Imports which contain non-U.S. manufactured solar panel systems	Dollars				
	Quantity*				

List countries where U.S. imports originated: \_\_\_\_\_

\*Quantities provided are measured in (for example: units, kilograms, pounds, tons): \_\_\_\_\_

9. If you reported declining sales for the periods identified above, please provide a list of your firm's foreign and domestic declining customers that account for the majority of your sales of the article identified in Question 5. Report the firm's sales for the periods identified in the table below. Reproduce and attach additional sheets as necessary.

		20	20	Jan thru 20	Jan thru 20
Company Name: _____	Dollars				
Address: _____					
Contact/Buyer: _____	Quantity*				
Phone: _____ Fax: _____					
Email: _____					
Company Name: _____	Dollars				
Address: _____					
Contact/Buyer: _____	Quantity*				
Phone: _____ Fax: _____					
Email: _____					
Company Name: _____	Dollars				
Address: _____					
Contact/Buyer: _____	Quantity*				
Phone: _____ Fax: _____					
Email: _____					



Email: \_\_\_\_\_  
\*Quantities provided are measured in: \_\_\_\_\_ (For example: units, kilograms, pounds, tons.)

**Part III**

**Affirmation of Information:**

The information you provide on this form will be used for the purposes of determining worker group eligibility. Knowingly falsifying any information on this form is a Federal offense (18 USC § 1001) and a violation of the Trade Act (19 USC § 2316). By signing below, you agree to the following statement:

"Under penalty of law, I declare that to the best of my knowledge and belief the information I have provided is true, correct, and complete."

NAME OF COMPANY OFFICIAL: \_\_\_\_\_

PAUL KARDIN

TITLE: \_\_\_\_\_

GENERAL COUNSEL

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

11/15/11

BUSINESS ADDRESS: 2210 Woodland Drive

E-MAIL ADDRESS: \_\_\_\_\_

TELEPHONE  
NUMBER: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_



### Processing Instructions

A petition for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) has been filed on behalf of a group of workers at Solyndra LLC, Fremont, California. As a customer of that firm, the U.S. Department of Labor needs your help in determining whether that firm has been hurt by foreign trade. Your assistance in expeditiously completing this form is necessary for the U.S. Department of Labor to determine whether these workers may be eligible for federal benefits. By law, this determination must be made within a certain time period following the filing date of the petition (19 U.S.C. 2273(a)). The Secretary of Labor is authorized to obtain this information through subpoena if you fail to comply with this request (19 U.S.C. 2321). Accordingly, please complete and return this form no later than November 4, 2011.

**Background:** The Trade Act of 1974 (19 USC § 2271 et seq.), as amended, established Trade Adjustment Assistance (TAA) to provide assistance to workers in firms with a decline in sales or a decline in production of articles affected by imports of articles from foreign countries or shifts in production to foreign countries. After receiving a TAA and ATAA petition, TAA investigators analyze the facts to determine whether increased imports or shifts in production contributed importantly to the workers' actual or threatened layoffs or work reductions and to determine whether the required minimum proportion of the workforce has either been laid off or is threatened with layoffs. The TAA Program provides petitioners with both rapid and early assistance. Once a petition has been granted and workers are certified as eligible to participate in the TAA program, workers covered by a certification may contact their state workforce agency to apply for additional reemployment assistance including long-term training while receiving income support and other benefits. **These benefits are provided at no expense to employers.**

**Completing Form:** Type or print legibly. Complete all sections unless directed otherwise. Attach additional sheets if necessary. If there is no quantity or value, enter "zero" or "none". On a separate sheet, please add any relevant information not covered in this form, and attach any supporting documents. If you have any difficulty completing this form or have questions, please contact Stacey Lassiter.

**Confidentiality:** All information submitted under this request will be used to determine whether the criteria for certification of the workers covered by a petition have been satisfied. The U.S. Department of Labor will protect the confidentiality of the information you provide to the full extent of the law, in accordance with the Trade Secrets Act, 18 USC 1905, the Freedom of Information Act, 5 U.S.C. 552, and 29 CFR Parts 70 and 90.

**Public Burden Statement:** Persons are not required to respond to this collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. Responding is mandatory (19 USC 2321). Public reporting burden for this collection is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, Office of Trade Adjustment Assistance, Room N-5428, 200 Constitution Ave., N.W., Washington, DC 20210 (Paperwork Reduction Project 1205-0342).