

June 10, 2019

Ambassador Robert Lighthizer
United States Trade Representative
Office of the United States Trade Representative
600 17th Street NW
Washington, DC 20508
301investigation@ustr.eop.gov

Re: Request to Appear at Hearing in Docket USTR-2019-0004 - USTR Request for Public Comment Concerning Proposed Determination of Action Pursuant to Section 301: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation

Dear Ambassador Lighthizer—

The U.S. Energy Storage Association (“ESA”) respectfully requests to appear and testify at the hearing scheduled for June 17, 2019 before the interagency Section 301 Committee in the above-referenced matter. This request is being made in response to the notice published on May 17, 2019.

ESA is the national trade association dedicated to energy storage, working toward a more resilient, efficient, sustainable and affordable electricity grid – as is uniquely enabled by energy storage. With more than 170 members, ESA represents a diverse group of companies, including independent power producers, electric utilities, energy service companies, financiers, insurers, law firms, installers, manufacturers, component suppliers and integrators involved in deploying energy storage systems around the globe.

ESA would appreciate the opportunity to participate at the June 17 hearing to explain why technologies used in the production of grid energy storage systems should not be included on the final list of products subject to the section 301 tariffs. The individual planning to appear and testify at the hearing is Kelly Speakes-Backman, Chief Executive Officer. Ms. Speakes-Backman will testify in opposition of the imposition of duties on lithium-ion batteries and containers that may be used for electric grid battery storage projects throughout the United States (HTSUS 8507.60.00 and HTSUS 8609.00.00). Additional duties would raise the costs to utilities and other end users, including homeowners and businesses, using energy storage systems for electric system modernization, reliability and resilience. Higher costs and uncertainty will reduce deployment of battery storage on the electric system at a time when improving resilience is of great concern to policy makers and regulators across the nation. Moreover, such duties and subsequent increased cost of storage is not in the public interest because it would slow job growth for this sector of the U.S. economy.

With this perspective, we respectfully request to testify at the hearing scheduled for June 17, 2019. Please contact us if you have questions about this submission.

Respectfully submitted,



Kelly Speakes-Backman
Chief Executive Officer

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