

It was Commerce's practice to allocate subsidies received by a parent over the sales of its entire group of companies in certain situations. Therefore, Commerce treated any untied subsidy received by the parent, Sidbec, during the period of investigation as benefiting all of the companies in the Sidbec group, including Sidbec-Dosco, Inc. and Sidbec-Normines.

Commerce determined that while grants provided in 1983 and 1984 were tied to Sidbec-Normines' iron ore production, these subsidies became attributable to the Sidbec group's remaining production once the iron ore operations were shut down. Furthermore, because Commerce considered Sidbec-Normines to be a part of the Sidbec group, the grants were considered to be provided directly to Sidbec. Accordingly, Commerce found that grants provided both before and after the closure of Sidbec-Normines' mining operations in 1984 benefited the Sidbec group's remaining production as of 1985 onward, including the production of the subject merchandise (steel wire rod).

Commerce allocated the subsidies at issue to the remaining production of the consolidated group given that the closed mining operations had been operated by a subsidiary (Sidbec-Normines) whose only production came from the closed plant. The parent of the consolidated group (Sidbec) was the group's shareholder in the subsidiary, and had financed and was obligated to pay the debts of the subsidiary. Thus Sidbec was being relieved of the costs it would have incurred in closing down the plant, so that its remaining production, including steel wire rod, undeniably benefited from the subsidies it received.

Commerce found that the 1983-1992 grants to cover Sidbec-Normines debt were non-recurring in nature. Commerce considers grants to be non-recurring when the benefits are exceptional, the recipient cannot expect to receive benefits on an ongoing basis, and/or the provision of funds by the government must be approved every year. Based upon the multi-layered process necessary to obtain budgetary authority, Commerce concluded that government approval was necessary prior to the receipt of each individual grant. Whereas non-recurring grants are allocated over the average useful life of assets in the industry, recurring grants are expensed in the year of receipt.

Commerce determined that Sidbec was uncreditworthy for the years from 1983 to 1992, based on certain liquidity and debt ratios. The Quebec Industrial Development Corporation (SDI) asserted that Commerce's finding was not supported by evidence on the record as the company had received long-term commercial financing. SDI asserted that the result of this error was that Commerce added a risk premium to the discount rate. Commerce stated that its credit analysis was consistent with the decision to analyze the subsidies as benefiting the consolidated group of the parent company, Sidbec. Furthermore, Commerce did not consider Sidbec's long-term capital lease as comparable to long-term commercial financing. The lease in question was a capital lease, secured by a first-rank specific charge, which is not unlike a typical mortgage.