

# Bifacial Solar Modules Now Exempt from Section 201 Tariff

**SheppardMullin**

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On June 13, 2019, [the Office of the United States Trade Representative ruled](#) that bifacial solar modules are exempt from the Section 201 tariffs on solar cell and module imports. This exemption applies to articles imported on or after June 13, 2019, and creates an opportunity for cost savings over traditional monofacial solar modules. Developers and solar companies who have been importing, or are considering importing, solar modules should consider the potential for such savings in light of this exemption.

Bifacial solar modules differ from traditional monofacial modules because they absorb sunlight on both sides of the module. By replacing the standard reflective aluminum back cover of the traditional module with a clear material, such as glass, bifacial modules are able to receive light through the rear. If placed on a reflective surface at an angle that allows for sunlight to be reflected into the back of the panel, these bifacial panels can produce additional energy. However, despite this greater energy realization, traditional monofacial modules are still used more frequently than bifacial modules.

The Trump Administration initially made the Section 201 tariffs effective on February 7, 2018 at 30% with a 5% declining rate per year over four years. This tariff applied to all solar modules imported from any country, except certain developing countries that are part of the World Trade Organization (as specifically listed in Presidential Proclamation 9693). This is the second time the Trump Administration has granted exemptions since imposing the Section 201 tariffs. The first exemption granted on

September 19, 2018 applied to solar cells and panels that met specific requirements for length, flexibility, frame, and power.

But even without the exemption, major developers have been experimenting with bifacial modules and some have begun integrating them into their utility-scale projects. With the exemption, the cost to acquire bifacial modules decreases significantly relative to the monofacial modules that remain subject to the Section 201 tariffs. This cost reduction, together with the greater energy realization inherent in the bifacial module design, may encourage a faster market adoption of the technology.

Generally, the impact of the Section 201 tariffs on the solar industry does not seem as severe as originally predicted. A year after the imposition of the tariffs, the cost of solar in the United States has decreased, and was estimated by one analyst to be only 5.6% higher than it might have been, had there been no tariff.[1] Nevertheless, this recent exemption creates an opportunity for even greater cost-savings over traditional monofacial solar modules.

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[1] Vikram Aggarwal, [The Impact of the Solar Tariff on Prices](#), EnergySage (Dec. 27, 2018).

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