

THE COMPETITION TRIBUNAL

CT-2006-009

IN THE MATTER OF an application by the Director of Investigation and Research under section 79 of the *Competition Act*, R.S.C. 1985, c.C-34, as amended;

AND IN THE MATTER OF certain practices by Laidlaw Waste Systems Ltd. in the communities of Cowichan Valley Regional District, Nanaimo Regional District and the District of Campbell River, British Columbia;;

AND IN THE MATTER OF the order made by the Competition Tribunal on February 11, 1992;

AND IN THE MATTER OF an application by Waste Management of Canada Corporation under section 106(1)(a) of the *Competition Act*, R.S.C. 1985, c.C-34, as amended, to rescind on consent the order made by the Competition Tribunal on February 11, 1992.

BETWEEN:

COMPETITION TRIBUNAL
TRIBUNAL DE LA CONCURRENCE

FILED / PRODUIT
September 7, 2006
CT-2006-009

Jos LaRose for / pour
REGISTRAR / REGISTRAIRE

OTTAWA, ONT

0003

**Waste Management of Canada Corporation
(formerly Laidlaw Waste Systems Ltd.)**

Applicant

- and -

**The Commissioner of Competition
(formerly the Director of Investigation and Research)**

Respondent

**DRAFT ORDER RESCINDING THE ORDER
MADE BY THE COMPETITION TRIBUNAL ON FEBRUARY 11, 1992**

FURTHER TO the order made by the Competition Tribunal on February 11, 1992 (the "1992 Order") pursuant to section 79 of the *Competition Act*, R.S.C. 1985, c.C-34, as amended (the "Act");

AND FURTHER TO the application by Waste Management of Canada Corporation (the "Applicant") brought pursuant to section 106(1)(a) of the Act for an order rescinding the 1992 Order;

AND AFTER READING the Notice of Application, the Applicant's Statement of Grounds and Material Facts, the Affidavit of James T. Duncan sworn August 21, 2006 and the Consent of the parties filed herein;

AND CONSIDERING THAT the Applicant and the Commissioner of Competition have consented to the rescission of the Order; and

AND ON HEARING the submissions of counsel.

THE TRIBUNAL ORDERS THAT:

1. The 1992 Order be rescinded.

DATED at Toronto, Ontario, this 23rd day of August, 2006.

THE COMPETITION TRIBUNAL

C:T-91/2

IN THE MATTER OF an application by the Director of Investigation and Research under section 79 of the *Competition Act*, R.S.C. 1985, c.C-34, as amended;

AND IN THE MATTER OF certain practices by Laidlaw Waste Systems Ltd. in the communities of Cowichan Valley Regional District, Nanaimo Regional District and the District of Campbell River, British Columbia;

AND IN THE MATTER OF the order made by the Competition Tribunal on February 11, 1992;

AND IN THE MATTER OF an application by Waste Management of Canada Corporation under section 106(1)(a) of the *Competition Act*, R.S.C. 1985, c.C-34, as amended, to vary on consent the order made by the Competition Tribunal on February 11, 1992;

BETWEEN:

Waste Management of Canada Corporation
(formerly Laidlaw Waste Systems Ltd.)

Applicant

and

The Commissioner of Competition
(formerly the Director of Investigation and Research)

Respondent

**DRAFT ORDER RESCINDING THE ORDER MADE BY THE
COMPETITION TRIBUNAL ON FEBRUARY 11, 1992**

Cassels Brock & Blackwell LLP
2100 Scotia Plaza
40 King Street West
Toronto, Ontario M5H 3C2

Mark J. Nicholson – Law Society No. 30801G

Phone: 416.860.6513
Fax: 416.642.7168

Chris Hersh – Law Society No. 43080N

Phone: 416.869.5387
Fax: 416.640.3017

Yana Ermak – Law Society No. 47791A

Phone: 416.860.2957
Fax: 416.640.3190

Counsel for the Applicant