



Reference: *Commissioner of Competition v. Saskatchewan Wheat Pool Inc.*, 2006 Comp. Trib. 9
File No.: CT2005009
Registry Document No.: 0044

IN THE MATTER OF the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

AND IN THE MATTER OF an application by the Commissioner of Competition for an Order pursuant to section 92 of the *Competition Act*;

AND IN THE MATTER OF an application by the Commissioner of Competition for an Order pursuant to section 104 of the *Competition Act*;

AND IN THE MATTER OF a joint venture between Saskatchewan Wheat Pool Inc. and James Richardson International Limited in respect of port terminal grain handling in the Port of Vancouver.

B E T W E E N :

Commissioner of Competition
(applicant)

and

Saskatchewan Wheat Pool Inc.
James Richardson International Limited
6362681 Canada Ltd. and 6362699 Canada Ltd.
(respondents)

and

Canadian Pacific Railway Company
Canadian National Railway Company and
Canadian Wheat Board
(intervenors)



Decided on the basis of the written record
Judicial Member: Simpson J. (Chairperson)
Date of Order: February 15, 2006
Order signed by: Madam Justice S. Simpson

**ORDER ON CONSENT EXTENDING THE TIME FOR SERVING AND FILING THE
REPLY AND THE AFFIDAVITS OF DOCUMENTS**

[1] FURTHER to the application filed by the Commissioner of Competition (the “Commissioner”) under section 92 of the *Competition Act*, R.S.C. 1985, c. C-34, for an order dissolving a grain handling joint venture between the Respondents at the Port of Vancouver;

[2] AND FURTHER to the Consent Order of January 16, 2006, which extended the time for the service and filing of a response to February 3, 2006;

[3] AND WHEREAS an affidavit of documents is to be served and filed by each of the parties on or before February 23, 2006, pursuant to Rule 13 of the *Competition Tribunal Rules*, SOR/94-290;

[4] AND WHEREAS Rule 6 of the *Competition Tribunal Rules* provides that the Commissioner may, within 14 days after being served with a response, serve a reply on the person who filed the response and on each other party;

[5] AND WHEREAS the Commissioner has requested that the time for serving and filing a reply be extended to March 3, 2006;

[6] AND WHEREAS the Commissioner and each of the Respondents have asked that the time for serving and filing their respective affidavit of documents be extended to April 28, 2006;

[7] AND FURTHER to the written consent of counsel for the Commissioner and for each of the Respondents dated February 10, 2006;

[8] AND UPON determining that the requests should be granted;

THE TRIBUNAL ORDERS THAT:

[9] The time for the service and filing of a reply is extended to March 3, 2006.

[10] The time for the service and filing of the affidavits of documents is extended to April 28, 2006.

DATED at Ottawa, this 15th day of February 2006.

SIGNED on behalf of the Tribunal by the Chairperson of the Tribunal.

(s) Sandra J. Simpson

COUNSEL:

For the applicant

Commissioner of Competition

André Brantz
Jonathan Chaplan
Valérie Chénard

For the respondents

Saskatchewan Wheat Pool Inc.
6362681 Canada Ltd. and
6362699 Canada Ltd.

Peter Bergbusch
Glen Lekach

James Richardson International Limited

Adam F. Fanaki
Robert Russell