



Reference: *Commissioner of Competition v. Enbridge Services Inc.*, 2002 Comp.Trib. 4
File no.: CT2001008
Registry document no.: 0007

IN THE MATTER OF an application by the Commissioner of Competition for a consent order pursuant to sections 79 and 105 of the *Competition Act*, R.S.C. 1985, c. C-34;

AND IN THE MATTER OF certain practices of anti-competitive acts by Enbridge Services Inc. ("ESI") within certain markets in the province of Ontario;

AND IN THE MATTER OF an abuse of dominant position in the supply of conventional or power vented natural gas fuelled water heaters not used for commercial purposes ("water heaters") and related services within certain markets in the province of Ontario.

B E T W E E N:

The Commissioner of Competition
(applicant)

and

Enbridge Services Inc.
(respondent)

Date of Consultation: 20020121
Member: McKeown J. (Chairman)
Date of order: 20020124
Order signed by: McKeown J.



SCHEDULING ORDER

[1] FURTHER TO section 79 of the *Competition Tribunal Rules* (SOR/96-307);

[2] AND ON consulting with the parties;

THE TRIBUNAL ORDERS THAT:

[3] Any comments and requests for leave to intervene in this matter shall be filed by January 28, 2002.

[4] The Commissioner of Competition shall, and the respondent may, serve and file replies to any comments and responses to any requests for leave to intervene by February 4, 2002.

[5] If no requests for leave to intervene are received, the hearing of the application shall take place on February 20, 2002 at 10:00 a.m. at in the Federal Court of Canada, 9th floor, Canada Life Building, 330 University Avenue, Toronto, Ontario.

[6] If requests for leave to intervene are received:

(a) a pre-hearing conference shall be held on February 20, 2002 at 10:00 a.m. at the Federal Court of Canada, 9th floor, Canada Life Building, 330 University Avenue, Toronto, Ontario to hear the requests for leave to intervene; and

(b) to determine the date of the hearing of the application.

DATED at Toronto, this 24th day of January, 2002.

(s) W.P. McKeown

COUNSEL

For the applicant:

The Commissioner of Competition

Josephine A.L. Palumbo

For the respondent:

Enbridge Services Inc.

William G. VanderBurgh