

THE COMPETITION TRIBUNAL

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

IN THE MATTER OF an Application by the Commissioner of Competition under section 92 of the *Competition Act*;

AND IN THE MATTER OF the acquisition by United Grain Growers Limited of Agricore Cooperative Ltd., a company engaged in the grain handling business.

BETWEEN:

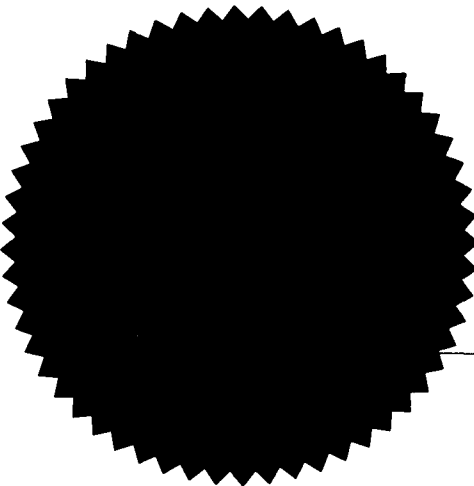
COMMISSIONER OF COMPETITION

Applicant

- and -

UNITED GRAIN GROWERS LIMITED

Respondent



NOTICE OF APPLICATION

COMPETITION TRIBUNAL TRIBUNAL DE LA CONCURRENCE		P R O D U I T
DEC 17 2001		
<small>REGISTRAR REGISTRAIRE</small>		
OTTAWA, ONT.	<i>1(a)</i>	

TAKE NOTICE THAT:

1. The Applicant will make applications to the Competition Tribunal for the following orders in connection with the acquisition of Agricore Cooperative Ltd. by United Grain Growers Limited:

- (a) pursuant to sections 92 and 104 of the *Competition Act* (the "Act"), an order in the form of the Draft Interim Consent Order attached hereto at Tab 7;
- (b) pursuant to sections 92 and 105 of the Act, an order in the form of the Draft Consent Order attached hereto at Tab 8; and
- (c) such further orders as the Applicant and the Respondent, on consent, may advise and the Tribunal may consider appropriate.

AND TAKE NOTICE THAT:

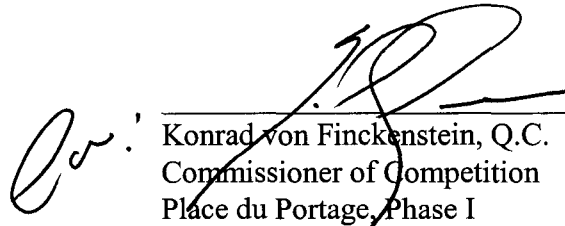
2. In support of these applications, the Commissioner will rely upon:
 - this Notice of Application,
 - the Statement of Grounds and Material Facts attached hereto at Tab 2,
 - the affidavits of David Ouellet and Halldor Palsson attached hereto at Tabs 3 and 4, respectively,
 - the Consent Order Impact Statement attached hereto at Tab 5,
 - the Consent signed by the parties attached hereto at Tab 6,
 - the Draft Interim Consent Order attached hereto at Tab 7, and
 - the Draft Consent Order attached hereto at Tab 8;
 - the Applicant's Memorandum of Argument on Interim Relief attached hereto at tab 9; and
 - such other material as may be filed or counsel may advise.

3. The name and the address of the person with respect to whom an Interim Consent Order and a Consent Order are sought is United Grain Growers Limited, carrying on business as Agricore United, TD Centre, 201 Portage Ave., Winnipeg, Manitoba, R3C 3A7.

4. The Applicant and the Respondent request, in accordance with Rules 68 and 72 of the *Competition Tribunal Rules* and Rule 8 of the *Federal Court Rules*, that the service requirements of the *Competition Tribunal Rules* be dispensed with, as between the Applicant and Respondent.

5. The Commissioner requests that if a hearing of either of these applications is necessary that it be held in Ottawa, Ontario, and that the proceeding be conducted in the English language.

DATED at Hull, Quebec, this 13th day of December, 2001.


Konrad von Finckenstein, Q.C.
Commissioner of Competition
Place du Portage, Phase I
50 Victoria Street, 21st Floor
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K1A 0C9

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