

**Competition Tribunal**



**Tribunal de la Concurrence**

Reference: *The Commissioner of Competition v. Canadian Waste Services Holdings* 2001,  
Comp. Trib. 18  
File no.: CT2000002  
Registry document no.: 070

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 under section 92  
of the *Competition Act*;

AND IN THE MATTER of the acquisition by Canadian Waste Services Inc. of certain assets of  
Browning-Ferris Industries Ltd., a company engaged in the solid waste business.

B E T W E E N:

**The Commissioner of Competition**  
(applicant)

and

**Canadian Waste Services Holdings Inc.**  
**Canadian Waste Services Inc.**  
**Waste Management, Inc.**  
(respondents)

and

**The Corporation of the Municipality of Chatham-Kent**  
(intervenor)



Date of pre-hearing conference call: 20010529  
Member: McKeown J. (Chairman)  
Date of order: 20010529  
Order signed by: McKeown J.

**ORDER REGARDING MOTION OF THE APPLICANT FILED MAY 24, 2001**

[1] FURTHER TO the motion brought by the Commissioner of Competition (the "Commissioner") for an order varying the Order Regarding Scheduling (Remedy) dated May 8, 2001 to provide that the Commissioner may serve and file expert affidavits and serve reply will-say statements by June 15, 2001;

[2] AND ON READING the notice of motion, the memorandum of argument and the affidavit of Michael Osborne dated May 23, 2001, and the memorandum of argument in response;

[3] AND ON HEARING the submissions of counsel for the Commissioner and the respondents on Tuesday May 29, 2001;

[4] AND ON CONSIDERING the new information provided by the applicant that he will be in a position to serve and file the aforementioned material by the date set in the Order Regarding Scheduling (Remedy) dated May 8, 2001;

THE TRIBUNAL ORDERS THAT:

[5] The motion of the applicant is withdrawn.

DATED at Ottawa, this 29<sup>th</sup> day of May, 2001.

(s) W.P. McKeown  
Chairman

## APPEARANCES

For the applicant:

The Commissioner of Competition

Donald Houston

André Brantz

For the respondents:

Canadian Waste Services Holdings Inc.

Canadian Waste Services Inc.

Waste Management, Inc.

Shawn C. D. Neylan

Danielle K. Royal

Donald P. Wright

For the intervenor:

The Corporation of the Municipality of Chatham-Kent

Anthony E. Fleming