

Competition Tribunal



Tribunal de la Concurrence

Reference: *The Commissioner of Competition v. Ultramar Ltd.*, 2000 Comp. Trib. 3

File no.: CT2000001

Registry document no.: 16

IN THE MATTER OF an application by the Commissioner of Competition for a consent order pursuant to sections 92 and 105 of the *Competition Act*, R.S.C. 1985, c. C-34;

AND IN THE MATTER OF the proposed acquisition by Ultramar Ltd. of a petroleum product terminal facility and wholesale supply business located in Ottawa currently owned by Coastal Canada Petroleum, Inc.

B E T W E E N:

The Commissioner of Competition
(applicant)

and

Ultramar Ltd.
(respondent)



Decided on the basis of the written record.

Members: McKeown J, L.P. Schwartz

Date of order: 20000405

Order signed by: McKeown J.

ORDER REGARDING MOTION OF DEMOCRACY WATCH INC.

[1] On March 28, 2000, Democracy Watch Inc. filed a motion requesting authorization to file a response to the replies of the Commissioner and Ultramar regarding the comments previously filed by Democracy Watch Inc. on March 20, 2000.

[2] The motion filed by Democracy Watch Inc. does not meet the requirements stated at section 38 of the Competition Tribunal Rules (“the Rules”). Indeed, the motion does not set out any grounds other than the wish to answer some allegations.

[3] Democracy Watch Inc. is not a party to the proceedings, neither did it state in its motion that it would be affected by the proposed consent order.

[4] The parties have replied as authorised by section 84 of the Rules. Section 84 of the Rules does not provide for the possibility to file additional comments to those already contemplated by that section, unless extraordinary circumstances occur that would lead this Tribunal to grant such permission.

[5] FOR THESE REASONS, the Tribunal orders that the motion filed by Democracy Watch Inc. be dismissed.

DATED at Ottawa, this 5th day of April, 2000.

SIGNED on behalf of the Tribunal by the presiding judicial member.

(s) W.P. McKeown