

Competition Tribunal



Tribunal de la Concurrence

CT - 98 / 2 – doc # 58

IN THE MATTER OF the *Competition Act*, R.S.C. 1985, c. C-34,
and the *Competition Tribunal Rules*, SOR/94-290, as amended;

AND IN THE MATTER OF an inquiry pursuant to subsection 10(1)(b) of the
Competition Act relating to the proposed acquisition of ICG Propane Inc.
by Superior Propane Inc.;

AND IN THE MATTER OF an application by the Commissioner of Competition
under section 92 of the *Competition Act*.

B E T W E E N:

The Commissioner of Competition

Applicant

- and -

Superior Propane Inc.
Petro-Canada
The Chancellor Holdings Corporation
ICG Propane Inc.

Respondents



**ORDER AMENDING ORDER REGARDING SCHEDULING
(EXCHANGE OF EXPERT AFFIDAVITS AND
AFFIDAVITS IN REBUTTAL AND IN REPLY)**

Dates of Pre-hearing Conference:

May 25 and 26, 1999

Member:

McKeown J. (presiding)

Counsel for the Applicant:

The Commissioner of Competition

William J. Miller
Jo'Anne Strekaf
Jennifer Quaid

Counsel for the Respondents:

**Superior Propane Inc.
ICG Propane Inc.**

Neil Finkelstein
Melanie Aitken
Russell Cohen
David Stevens

**Petro-Canada
The Chancellor Holdings Corporation**

Randal T. Hughes

COMPETITION TRIBUNAL

**ORDER AMENDING ORDER REGARDING SCHEDULING
(EXCHANGE OF EXPERT AFFIDAVITS AND
AFFIDAVITS IN REBUTTAL AND IN REPLY)**

The Commissioner of Competition

v.

Superior Propane Inc. et al.

FURTHER TO the Order Regarding Scheduling dated February 16, 1999;

AND FURTHER TO the motion brought by the Commissioner of Competition for an order amending the dates set in the Order Regarding Scheduling dated February 16, 1999, for the exchange of expert affidavits from August 3, 1999 to August 18, 1999, the exchange of rebuttal expert affidavits from August 16, 1999 to September 14, 1999, and the exchange of reply expert affidavits from August 30, 1999 to September 20, 1999;

AND ON HEARING the submissions of counsel for the parties;

AND WITH the consent of the parties;

THE TRIBUNAL ORDERS THAT:

Paragraph 2 of the Order Regarding Scheduling dated February 16, 1999 shall be amended by replacing the dates set out in the order regarding the three matters listed below as follows:

...

August 18, 1999 The parties shall exchange expert affidavits pursuant to section 47 of the *Competition Tribunal Rules* (“Rules”).

September 14, 1999 The parties shall exchange rebuttal expert affidavits pursuant to section 47 of the Rules.

...

September 20, 1999 The parties shall exchange reply expert affidavits and file all expert affidavits pursuant to section 48 of the Rules.

DATED at Ottawa, this 26th day of May, 1999.

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

(s) W.P. McKeown
W.P. McKeown