

Competition Tribunal



Tribunal de la Concurrence

CT - 1998 / 002 – Doc # 0107

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.
ICG Propane Inc.

Respondents



**CLARIFICATION TO ORDER REGARDING MISCELLANEOUS MATTERS
CONSIDERED AT THE PRE-HEARING CONFERENCE ON AUGUST 19, 1999**

COMPETITION TRIBUNAL

**CLARIFICATION TO ORDER REGARDING MISCELLANEOUS MATTERS
CONSIDERED AT THE PRE-HEARING CONFERENCE ON AUGUST 19, 1999**

The Commissioner of Competition

v.

*Superior Propane Inc.
ICG Propane Inc.*

FURTHER TO the Order Regarding Miscellaneous Matters Considered at the Pre-hearing Conference on August 19, 1999, dated August 24, 1999;

AND ON CONSIDERING the submissions of counsel for the Commissioner of Competition (the "Commissioner") and the respondents, Superior Propane Inc. ("Superior") and ICG Propane Inc. ("ICG"), at the pre-hearing conference on August 19, 1999;

AND ON READING the letter from counsel for the Commissioner dated August 26, 1999;

THE TRIBUNAL ORDERS THAT:

Paragraph 4 of the Order Regarding Miscellaneous Matters Considered at the Pre-hearing Conference on August 19, 1999 shall be revoked and replaced by the following:

4. The Commissioner shall serve on the respondents the Commissioner's pro-forma affidavits of witnesses evidence under oath available as of August 23, 1999, and the unsworn summaries available on that date on a "without prejudice" basis. The unsworn summaries provided on August 23, 1999 shall be served on the respondents in the form of pro-forma affidavits of witnesses evidence under oath as soon as possible.

DATED at Ottawa, this 30th day of August, 1999.

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

(s) Marc Nadon

Marc Nadon