

Competition Tribunal



Tribunal de la Concurrence

CT-98/02 – doc # 19

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 Director of Investigation and
Research under section 92 of the *Competition Act*;

B E T W E E N:

The Director of Investigation and Research

Applicant

- and -

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

Respondents



**CONSENT ORDER REGARDING THE AMENDMENT OF
THE NOTICE OF APPLICATION AND THE STATEMENT OF GROUNDS
AND MATERIAL FACTS AND
REGARDING EXTENSION OF TIME TO FILE RESPONSES**

Decided on the basis of the written record.

Presiding Member:

The Honourable Madame Justice Sandra Simpson

Counsel for the Applicant:

The Director of Investigation and Research

William J. Miller

Counsel for the Respondents:

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

Neil Finkelstein

**Petro-Canada Inc.
The Chancellor Holdings Corporation**

Randal T. Hughes

COMPETITION TRIBUNAL

**CONSENT ORDER REGARDING THE AMENDMENT OF
THE NOTICE OF APPLICATION AND THE STATEMENT OF GROUNDS
AND MATERIAL FACTS AND
REGARDING EXTENSION OF TIME TO FILE RESPONSES**

The Director of Investigation and Research

v.

Superior Propane Inc. et al.

UPON the application by the Director of Investigation and Research (the "Director") pursuant to section 92 of the *Competition Act*, R.S.C. 1985, c. C-34;

AND UPON the motion by the Director for an order amending the said notice of application and the statement of grounds and material facts contained therein and for leave to serve and file a fresh as amended notice of application, and that the time for the delivery of responses be extended to January 29, 1999;

AND UPON the motion for an order abridging the time for the service of the said motion;

AND UPON CONSIDERING the material filed in support of the motion;

THE TRIBUNAL ORDERS THAT:

1. The time for the service of this motion under section 38 of the *Competition Tribunal Rules* is abridged.

2. The Director is granted leave to serve and file a fresh as amended notice of application and statement of grounds and material facts contained therein in the form attached as Exhibit B to the affidavit of John Pecman sworn the 22nd of December 1998, filed.

3. The time for the service and filing of the responses herein is extended to January 29, 1999.

DATED at Ottawa, this 23rd day of December, 1998.

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

(s) Sandra J. Simpson

Sandra J. Simpson