



CT-1989-001 – Doc # 139

IN THE MATTER OF an application by the Director of Investigation and Research under sections 92 and 105 of the *Competition Act*, R.S.C., 1985, c. C-34, as amended;

AND IN THE MATTER OF the proposed acquisition by Asea Brown Boveri Inc. of certain assets and property comprising the electrical transmission and distribution business of Westinghouse Canada Inc., including those of its wholly-owned subsidiary Transelectrix Technology Inc.

BETWEEN:

The Director of Investigation and Research

Applicant

And

Asea Brown Boveri Inc.
Westinghouse Canada Inc.
Transelectrix Technology Inc.

Respondents



CONFIDENTIALITY ORDER

Date of Hearing:

December 18, 1989

Presiding Member:

The Honourable Mr. Justice Leonard A. Martin

Lay Members:

Dr. Frank Roseman
Madame Marie- Helene Sarrazin

Counsel for the Applicant:

Director of Investigation and Research

William J. Miller
John S. Tyhurst

Counsel for the Respondents:

(a) Asea Brown Boveri Inc.

Michael L. Phelan
Timothy Kennish
Peter A. Magnus

**(b) Westinghouse Canada Inc.
Transtrix Canada Inc.**

Not Represented

COMPEITION TRIBUNAL
CONFIDENTIALITY ORDER

The Director of Investigation and Research

v.

Asea Brown Boveri Inc. et al.

FURTHER TO the motion brought on notice by Asea Brown Boveri Inc. and the claim for confidentiality made by Transelectrix Technology Inc.;

AND UPON HEARING the submissions of counsel for the parties;

THE TRIBUNAL ORDERS THAT the following documents are confidential and no one is to be given access to them except counsel for the parties and the members and staff of the Competition Tribunal:

(1) Confidential Statement of Grounds for Application for Order to Vary Consent Order dated June 21, 1989 (Document # 119(g));

(2) Confidential Affidavit of Peter Janson (Document #119(h));

(3) Confidential Affidavit of John H. Churchman and Exhibit "A" attached thereto (Document # 120);

(4) Second Confidential Affidavit of John H. Churchman and Exhibits 1A, 1B, 2, 3, 4A and 4B attached thereto (Document #120(a)).

DATED at Ottawa, this 18th day of December, 1989.

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

(s) Leonard A. Martin
Leonard A. Martin