



CT-1989-001 – Doc # 111

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



ORDER REGARDING PRE-HEARING PROCEDURE AND
SCHEDULE FOR HEARING OF APPLICATION TO VARY
FILED ON NOVEMBER 8, 1989

COMPETITION TRIBUNAL

ORDER REGARDING PRE-HEARING PROCEDURE AND
SCHEDULE FOR HEARING OF APPLICATION TO VARY
FILED ON NOVEMBER 8, 1989

The Director of Investigation and Research

v.

Asea Brown Boveri Inc. et al.

AN APPLICATION having been filed on November 8, 1989 by Asea Brown Boveri Inc. ("ABB") to vary the consent order dated June 15, 1989 ("the consent order");

AND discussions with the counsel for ABB and counsel for the Director of Investigation and Research ("Director") having taken place with the Chairman of the Tribunal on November 3, 1989 regarding the procedure and schedule for expeditious disposition of the application to vary the consent order;

THIS TRIBUNAL HEREBY ORDERS THAT:

1. The Registrar shall forthwith publish a notice of the application to vary the consent order as required by rule 37 of the *Competition Tribunal Rules*.
2. The Registrar shall forthwith send a notice of the application to vary the consent order to each person who filed representations or comments, pursuant to rule 35(1) of the *Competition Tribunal Rules*, on the application for a consent order filed on April 26, 1989.
3. The notices described in paragraphs 1 and 2 shall state that anyone interested in the application to vary the consent order shall file a notice with the Registrar on or before November 24, 1989 and shall file any submissions they may wish to make in writing on or before December 14, 1989.

4. The Registrar shall forthwith send copies of any notices and submissions filed to ABB and the Director.

5. ABB and the Director shall file with the Registrar on or before December 18, 1989 any replies they may wish to make to any submissions filed.

6. ABB shall file with the Registrar on or before December 1, 1989 and forthwith serve on the Director:

(a) a draft of the order sought in both official languages;
and

(b) a statement setting out the grounds for the application to vary the consent order and of the material facts on which ABB relies.

7. The Director shall file with the Registrar on or before December 6, 1989 and forthwith serve on ABB any response he may wish to make to the application to vary the consent order.

8. If there are matters to be resolved by the Tribunal before the hearing of the application to vary the consent order, ABB and the Director shall file pre-hearing memoranda by November 29, 1989 and a pre-hearing conference shall be held on December 1, 1989 at 9:30 a.m. in the Tribunal Hearing Room, Suite 610, 90 Sparks Street, in the City of Ottawa.

9. The application to vary the consent order shall be heard by the Tribunal on December 18, 1989 at 1:30 p.m. in the Tribunal Hearing Room, Suite 610, 90 Sparks Street, in the City of Ottawa.

DATED at Ottawa, this 9th day of November 1989.

(s) B. Reed
Chairman