

CT-89/1

THE COMPETITION TRIBUNAL

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. 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.

**B E T W E E N:**

**THE DIRECTOR OF INVESTIGATION AND RESEARCH**

Applicant

- and -

**ASEA BROWN BOVERI INC., WESTINGHOUSE CANADA INC.,  
TRANSELECTRIX TECHNOLOGY INC.**

Respondents

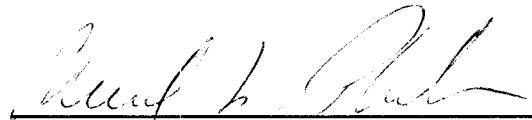
NOTICE OF MOTION

TAKE NOTICE that Asea Brown Boveri Inc. ("ABB") will move the Competition Tribunal (the "Tribunal") pursuant to the Consent Order dated June 15, 1989 and in particular paragraph 33 thereof, for:

- a) an order varying paragraph 10 (b) of the Consent Order;
- b) an order varying certain paragraphs of the Consent Order with respect to the Hold Separate provisions of the Consent Order;
- c) for such further or other order as may be deemed appropriate.

**AND TAKE NOTICE** that in support of this Motion will be read the Notice of Motion, such affidavits and exhibits as may be appropriate (to be filed with the Tribunal not later than December 1, 1989) and such other material as may be filed.

**DATED** at Ottawa, Ontario, this 7th day of November, 1989.



**MICHAEL L. PHELAN**  
Counsel to ASEA Brown Boveri Inc.  
Osler, Hoskin & Harcourt

Address for Service:  
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K1P 6L2

**TO: THE REGISTRAR  
THE COMPETITION TRIBUNAL**

**AND TO: DIRECTOR OF INVESTIGATION AND RESEARCH  
BUREAU OF COMPETITION POLICY  
Place du Portage  
Phase II  
50 Victoria Street  
Hull, Quebec  
K1A 0C9**

Attention: William S. Miller

**AND TO: WESTINGHOUSE CANADA INC.  
c/o BLAKE, CASSELS & GRAYDON  
Box 25, Commerce Court West  
Toronto, Ontario  
M5L 1A9**

Attention: John Quinn

**AND TO: TRANSELECTRIX TECHNOLOGY INC.  
c/o BLAKE, CASSELS & GRAYDON  
Box 25, Commerce Court West  
Toronto, Ontario  
M5L 1A9**

Attention: John Quinn