



CT - 88 / 1 #462

IN THE MATTER OF an application by the Director of Investigation and Research under subsection 64(1) of the *Competition Act*, R.S.C. 1970, c. C-23 as amended;

AND IN THE MATTER OF a Limited Partnership formed to combine the operations of the Reservec and Pegasus computer reservation systems;

AND IN THE MATTER OF The Gemini Group Automated Distribution Systems Inc.

B E T W E E N :

The Director of Investigation and Research

Applicant

- and -

Air Canada
Air Canada Services Inc.
PWA Corporation
Canadian Airlines International Ltd.
Pacific Western Airlines Ltd.
Canadian Pacific Air Lines, Limited
154793 Canada Ltd.
153333 Canada Limited Partnership
The Gemini Group Automated Distribution Systems Inc.

Respondents

- and -

Consumers' Association of Canada
American Airlines, Inc.
Wardair Canada Inc.
Attorney General of Manitoba
Alliance of Canadian Travel Associations
Bios Computing Corporation
Air Atonabee Limited

Intervenors

ORDER

Date of Hearing:

April 3, 1989

Presiding Member:

The Honourable Madame Justice Barbara J. Reed

Judge:

The Honourable Mr. Justice Barry L. Strayer

Lay Member:

Dr. Frank Roseman

Counsel for the Director of Investigation and Research:

John F. Rook, Q.C.
Sandra J. Simpson
Randal T. Hughes

Counsel for the Respondents:

(a) Air Canada

Marc Monnin

(b) PWA Corporation
Canadian Airlines International Ltd.
(including Pacific Western Airlines Ltd., and
Canadian Pacific Air Lines, Limited)

Jo'Anne Strekaf

(c) Air Canada Services Inc.
154793 Canada Ltd.
153333 Canada Limited Partnership
The Gemini Group Automated Distribution Systems Inc.

Marc Monnin
Jo'Anne Strekaf

Counsel for the Intervenors:

- (a) Consumers' Association of Canada**
Janet Yale
- (b) American Airlines, Inc.**
Colin L. Campbell, Q.C.
Lorne P. Salzman
- (c) Wardair Canada Inc.**
John W. Brown, Q.C.
- (d) Attorney General of Manitoba**
Neville D. Shende, Q.C.
- (e) Alliance of Canadian Travel Associations**
Douglas Crozier
- (f) Air Atonabee Limited**
Donald Kubesh

COMPETITION TRIBUNAL
ORDER

The Director of Investigation and Research

v.

Air Canada et al.

FURTHER TO the motion made orally by counsel for the applicant for leave to file a notice of motion amending the notice of application in order to proceed pursuant to section 77 (now section 105, R.S., 1985, c. C-34 as amended) of the *Competition Act*;

AND ON HEARING the submissions of counsel for the parties and the intervenors;

THIS TRIBUNAL ORDERS THAT:

- (a) by April 12, 1989, counsel for the applicant serve and file a notice of motion to amend the notice of application, a draft of the order sought, and a statement in support thereof in accordance with rule 34(3) of the *Competition Tribunal Rules*;

- (b) a pre-hearing conference be held on April 17, 1989, at 10:00 a.m., at the Competition Tribunal in Ottawa, to consider the scheduling and the procedures to be followed at the hearing of this application;
- (c) intervenors serve and file any submissions regarding the order sought by April 20, 1989; and
- (d) the hearing of the application for a consent order commence on April 24, 1989.

DATED at Ottawa, this 3rd day of April, 1989.

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

(s) B. Reed
B. Reed