

Competition Tribunal



Tribunal de la Concurrence

Citation: *Canada (Commissioner of Competition) v Rogers Communications Inc. and Shaw Communications Inc.*, 2022 Comp Trib 11

File No.: CT-2022-002

Registry Document No.: 172

IN THE MATTER OF an application by the Commissioner of Competition for one or more orders pursuant to section 92 of the Competition Act, RSC 1985, c C-34 as amended.

BETWEEN:

The Commissioner of Competition
(applicant)

and

**Rogers Communications Inc. and
Shaw Communications Inc.**
(respondents)

and

**Attorney General of Alberta
Videotron Ltd.**
(intervenor)



ORDER ON CONSENT (Motions Regarding Affidavits of Documents)

[1] **WHEREAS** the Respondents filed a Notice of Motion dated July 21, 2022, before the Tribunal challenging some of the privilege claims identified in the Commissioner’s Schedule “B”;

[2] **AND WHEREAS** the Commissioner filed Notices of Motion dated July 28, 2022, before the Tribunal challenging some of the privilege claims identified in the Respondents’ Schedule “B” and seeking various relief regarding the Respondents’ Schedule “A” lists;

[3] **AND WHEREAS** the Respondents and the Commissioner have made enquiries and exchanged information related to the privilege claims identified in their respective Schedule “B”

lists of documents and have satisfied themselves that their respective motions may be adjourned, pending the outcome of oral discoveries,

[4] **AND WHEREAS** the Respondents and the Commissioner reserve the right to make any further enquiries into the privilege claims asserted by each party at the examinations for discoveries in respect of the documents identified in Schedule “B”;

[5] **AND WHEREAS** the Respondents and the Commissioner also reserve the right to make any further enquiries in respect of the documents identified in their respective Schedule “A” lists;

[6] **AND WHEREAS** the Respondents and the Commissioner have agreed, on a without prejudice basis to their right to return their respective motions before this Tribunal, to adjourn the motions.

THE TRIBUNAL ORDERS THAT:

[7] The Respondents’ and the Commissioner’s respective motions are adjourned, *sine die*; and

[8] The Respondents and the Commissioner shall each bear their own costs related to the issues addressed in this Order.

DATED at Ottawa, this 15th day of August, 2022.

TO BE SIGNED on behalf of the Tribunal by the Chairperson.

(s) Andrew D. Little

COUNSEL OF RECORD:

For the applicant:

Commissioner of Competition

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For the respondents:

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