



Registry Doc. No.: 593

Date: October 31, 2022

Matter: CT-2022-002 – *Commissioner of Competition v Rogers Communications Inc. and Shaw Communications Inc.*

Direction to Counsel (from Chief Justice Crampton, Presiding Member)

Re: Upcoming Case Management Conference

UPON further considering the exchanges that took place during the case management conference held on Friday, October 28, 2022;

AND UPON further reviewing the relief sought by the Commissioner in this proceeding;

AND UPON considering that there may be scope to streamline the upcoming trial by narrowing the evidence the Parties are currently planning to adduce;

THE TRIBUNAL DIRECTS counsel to:

1. Convene for a further case management conference on Tuesday, November 1, 2022 at 3:00 p.m. (Eastern), to further discuss the foregoing; and
2. To reflect, in the intervening period, upon whether it may be possible to:
 - a. provide the Commissioner with sufficient certainty regarding the alternative relief he is seeking, such that he would be satisfied that this relief, if ultimately ordered by the Tribunal following the hearing, would ensure that the Proposed Transaction will not likely prevent or lessen competition substantially, and that therefore it would not be necessary to continue to seek an order directing the Respondents not to proceed with the entire Proposed Transaction;
 - b. provide the Respondents with sufficient certainty to agree to narrow the scope of the evidence they are planning to adduce with respect to efficiencies; and
 - c. provide the Commissioner with sufficient certainty to agree to narrow the scope of the evidence he is planning to adduce.

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