



Registry Doc. No.: 622

**Date:** November 2, 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:** Chess Clock and Sitting Times

As the parties are aware and as is the usual practice in proceedings before the Tribunal, the hearing scheduled to start on November 7, 2022 will proceed using the chess-clock method of managing the hearing time, detailed in the Tribunal's Notice on "*Chess Clock*" Proceedings". Given the total time set aside for this hearing (i.e., 18 days for the evidentiary portion and two days for final oral argument), the Tribunal directs as follows:

1. The Applicant has been allotted 48 hours for the evidentiary portion of the hearing (including fact witnesses and expert witnesses), and one day for final oral argument; whereas the Respondents together with Intervenor Videotron have been allotted 40 hours for the evidentiary portion of the hearing (including fact witnesses and expert witnesses), and one day for final oral argument.
2. The parties will typically have approximately 5 hours per hearing day, with the rest of the hearing time being used for panel questions and procedural or housekeeping matters. The time for panel questions is typically greater during final oral argument.
3. The hearing days will typically be as follows (all times are Ottawa EST time) :
  - a. 9:30 am       Hearing starts
  - b. 11:00 am     15-minute health break
  - c. 11:15 am     Hearing resumes
  - d. 12:45 pm     75-minute lunch break
  - e. 2:00 pm       Hearing resumes
  - f. 3:30 pm       15-minute health break
  - g. 3:45 pm       Hearing resumes
  - h. 5:00 pm       Hearing ends.

4. The Tribunal may consider modifying the starting time of the hearing days, after consultation with the parties, where witnesses are testifying from a different time zone.
5. The time for the health and lunch breaks are indicative only and it will be up to counsel who will be examining / cross-examining / arguing at that time to determine the appropriate moment at which to break around those indicative times.
6. The parties should note that the hearing weeks and oral arguments will be as follows:
  - a. Hearing week 1: November 7 to November 10;
  - b. Hearing week 2: November 14 to November 18;
  - c. Hearing week 3: November 21 to November 25;
  - d. Hearing week 4: November 28 to December 1<sup>st</sup>;
  - e. Oral arguments: December 13-14

Annie Ruhlmann  
Registry Officer  
Competition Tribunal