



**Date:** January 18, 2023

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

**Statement (from Chief Justice Crampton, Presiding Member)**

Communication to the Public: Inadvertent Disclosure of Confidential Information

On the evening of December 14, 2022, the public version of a closing argument compendium submitted by Rogers Communications Inc. was posted to the Tribunal’s website. The Tribunal subsequently learned that the compendium contained unredacted transcripts of testimony by witnesses from BCE Inc. (“Bell”) that had been designated confidential (the “Unredacted Compendium”). The Tribunal then immediately removed the document from its website.

Anyone who may have directly or indirectly obtained a copy of the Unredacted Compendium should destroy it immediately. Similarly, anyone who may have indirectly obtained portions of the Unredacted Compendium that include the transcripts from Bell’s witnesses, Mr. Blaik Kirby and Mr. Stephen Howe, should destroy those portions immediately.

In addition, the confidential information contained in the transcripts of Bell’s witnesses should not be disclosed to any person or used for any purpose.

The Tribunal wishes to remind all parties appearing before it that they must ensure that, in preparing public versions of documents filed with the Tribunal, any and all confidential information is properly redacted in accordance with its *Practice Direction on Filing of Confidential and Public Documents with the Tribunal*.

The Tribunal has processes in place to protect confidential information and to avoid its disclosure, even inadvertently. The Tribunal reaffirms its commitment to work with parties litigating at the Tribunal to ensure that any and all confidential information filed by them is redacted from the public versions of materials that are made available.

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