

Competition Tribunal



Tribunal de la concurrence

Registry Document No.: 850

Date: June 22, 2023

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

Direction to Respondents and Intervener regarding disbursements (from Chief Justice Crampton, Presiding Member)

Re: Costs

UPON considering that one of the objectives underlying the Tribunal’s Direction, dated December 21, 2022, regarding costs was to avoid the significant time and expense that would be associated with preparing a granular analysis and a detailed Bill of Costs;

AND UPON considering that requested disbursements must nevertheless be “reasonable” and “justified in relation to the issues at trial”: *Nova Chemicals Corporation v Down Chemical Company*, 2017 FCA 25, at para 26 [*Nova*];

AND UPON further considering that disbursements of significant magnitude “should be supported by affidavit evidence”: *Nova*, above, at para 25;

AND UPON considering that the Respondents, supported by the Intervener, were the successful parties in this proceeding;

AND UPON considering that the Respondents and the Intervener have not provided any support whatsoever for their requested disbursements;

THE TRIBUNAL DIRECTS AS FOLLOWS:

The Respondents and the Intervener shall provide affidavit evidence that includes meaningful support for their requested disbursements. For greater certainty, a granular analysis is not required.

Sara Pelletier
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