

Competition Tribunal



Tribunal de la concurrence

Citation: *Canada (Commissioner of Competition) v Rogers Communications Inc.*, 2026 Comp Trib 9

File No.: CT-2024-012

Registry Document No.: 174

IN THE MATTER OF the *Competition Act*, RSC, 1985, c C-34 as amended;

AND IN THE MATTER OF an application by the Commissioner of Competition for an order under section 74.1 of the *Competition Act* for conduct reviewable pursuant to paragraph 74.01(1)(a) and subsections 74.011(1) and 74.011(2) of the *Competition Act*;

BETWEEN:

Commissioner of Competition
(applicant)

and

Rogers Communications Inc.
(respondent)



Decided on the basis of the written record.

Before: Madam Justice Jocelyne Gagné (Presiding Member)

Date of order: February 26, 2026

ORDER AUTHORIZING A MOTION UNDER RULE 73

[1] **FURTHER TO** a motion filed by the applicant on January 9, 2026, seeking an order pursuant to Rule 73 of the *Competition Tribunal Rules*, SOR/2008-141 authorizing the applicant to read into evidence information obtained from examinations conducted under paragraph 11(1)(a) of the *Competition Act*, RSC 1985, c C-34, as amended;

[2] **AND BEING SATISFIED THAT** authorizing certain transcripts to be read into evidence would contribute to the efficient and expedient presentation of the Commissioner's case in chief in this application;

[3] **AND FURTHER TO** the respondent consenting to the present motion;

[4] **AND BEING SATISFIED THAT** the respondent would suffer no prejudice by such authorization;

THE TRIBUNAL ORDERS THAT:

[5] The applicant is authorized to read into evidence the transcripts, including the exhibits marked therein, from the examinations of Dominic Atkinson on April 22, 2025, and of Rory McGee on May 12 and 13, 2025.

[6] The respondent shall have the right to cross-examine Mr Atkinson and Mr McGee.

[7] The applicant shall have the right to re-examine Mr Atkinson and Mr McGee by means of leading questions.

[8] There shall be no order as to costs.

DATED at Ottawa, this 26th day of February 2026.

SIGNED on behalf of the Tribunal by the Presiding Member.

(s) Jocelyne Gagné

COUNSEL OF RECORD:

For the applicant:

Commissioner of Competition

Jonathan Hood
Kevin Hong
Irene Cybulsky
Kendra Wilson

For the respondents:

Rogers Communications Inc.

Crawford Smith
John Carlo Mastrangelo
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Anita Banicevic