



**BY FACSIMILE**

November 21, 2003

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**Re: Carsen Group Inc. (File No. PR-2003-059)**

I wish to inform you that the Canadian International Trade Tribunal has reviewed the complaint submitted on behalf of Carsen Group Inc. (Carsen) regarding the Department of Public Works and Government Services (PWGSC) Solicitation No. 23126-020450/A. The Tribunal (Presiding Member: Gosselin) has decided not to initiate an inquiry into this complaint.

Subsection 6(2) of the *Canadian International Trade Tribunal Procurement Inquiry Regulations* (the Regulations) states that a potential supplier who has made an objection regarding a procurement relating to a designated contract to the relevant government institution, and is denied relief by that government institution, may file a complaint with the Tribunal within the 10 working days after the day on which the potential supplier has actual or constructive knowledge of the denial of relief, if the objection was made within 10 working days after the day on which its basis became known or reasonably should have become known to the potential supplier.

According to the complaint, Carsen made an objection to PWGSC on February 24, 2003. Carsen received a response from PWGSC on February 28, 2003 and a further response from PWGSC on March 14, 2003, which indicated that Carsen, if it wished, should now file a complaint with the Tribunal. The Tribunal is of the opinion that Carsen had actual or constructive knowledge of the denial of relief, at the latest, on March 14, 2003. The Tribunal received Carsen's complaint on November 13, 2003 and, therefore, the complaint was not received within the time limits for filing a complaint as set out in section 6 of the Regulations.

In light of the foregoing, the Tribunal will not conduct an inquiry into this complaint and considers the matter closed.

Yours sincerely,

Michel P. Granger  
Secretary