



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Procurement

ORDER

File No. PR-2005-004

Northern Lights Aerobatic Team,
Inc.

v.

Department of Public Works and
Government Services

*Order issued
Thursday, October 27, 2005*

IN THE MATTER OF a complaint filed by Northern Lights Aerobic Team, Inc. under subsection 30.11(1) of the *Canadian International Trade Tribunal Act*, R.S.C. 1985 (4th Supp.), c. 47;

AND FURTHER TO the Canadian International Trade Tribunal's preliminary indication of the level of complexity of the complaint case and the amount of its cost award;

AND FURTHER TO the Canadian International Trade Tribunal's preliminary opinion that Top Aces Consulting Inc. should not be awarded costs in these proceedings.

BETWEEN

NORTHERN LIGHTS AEROBATIC TEAM, INC.

Complainant

AND

**THE DEPARTMENT OF PUBLIC WORKS AND GOVERNMENT
SERVICES**

**Government
Institution**

ORDER

In its determination of September 7, 2005, the Canadian International Trade Tribunal, pursuant to section 30.16 of the *Canadian International Trade Tribunal Act*, awarded the Department of Public Works and Government Services its reasonable costs incurred in responding to the complaint. The Canadian International Trade Tribunal's preliminary indication of the level of complexity for this complaint case was Level 3, and its preliminary indication of the amount of the cost award was \$4,100. Noting that there have been no submissions contesting the preliminary indication of the level of complexity or the preliminary indication of the amount of the cost award, the Canadian International Trade Tribunal hereby confirms its preliminary indication by awarding the Department of Public Works and Government Services costs in the amount of \$4,100 for responding to the complaint and directs Northern Lights Aerobic Team, Inc. to take appropriate action to ensure prompt payment.

The Canadian International Trade Tribunal has considered the submission of Top Aces Consulting Inc. and the reply of Northern Lights Aerobic Team, Inc. regarding its preliminary view that Top Aces Consulting Inc. should not be awarded costs in these proceedings. Furthermore, the Canadian International Trade Tribunal has considered the fact that the issue raised by Top Aces Consulting Inc., which had not been raised by the Department of Public Works and Government Services, namely, whether one of the grounds of the complaint was timely, proved to be without merit. On these bases, the Canadian International Trade Tribunal hereby confirms that it will not award costs to Top Aces Consulting Inc.

Ellen Fry
Ellen Fry
Presiding Member

James A. Ogilvy
James A. Ogilvy
Member

Meriel V. M. Bradford
Meriel V. M. Bradford
Member

Hélène Nadeau
Hélène Nadeau
Secretary