

Renée M. Duplantis

PRINCIPAL

Leader: Canadian Antitrust & Competition

Toronto

+1.416.360.4859

Renee.Duplantis@brattle.com

Dr. Renée Duplantis is the leader of Brattle's Canadian Competition Practice, and a former T.D. MacDonald Chair in Industrial Economics (Chief Economist) at the Canadian Competition Bureau.

Dr. Duplantis has 20 years of experience involving complex competition matters in Canada, the United States, and Europe. She has testified before the Canadian Competition Tribunal and the Canadian Radio-television and Telecommunications Commission and has authored reports and presented findings to competition agencies globally, including the Canadian Competition Bureau, the US Federal Trade Commission, and the European Commission Directorate-General for Competition and the Chief Economist Team.

Dr. Duplantis specializes in the empirical analysis of competition issues, with a primary focus on quantifying the competitive effects of mergers. She has also been engaged on several competition matters involving allegations of abuse of dominance, exclusionary conduct, monopolization, collusion, and price-fixing.

Prior to joining Brattle, Dr. Duplantis spent almost five years at the Canadian Competition Bureau in various positions, including as the Chief Economist. During this time, she advised the Commissioner of Competition on economic matters related to competition policy, and participated in the economic analysis of numerous high-profile investigations under the *Competition Act* involving mergers, abuse of dominance investigations, and criminal matters.

Dr. Duplantis is recognized as a thought leader and leading competition economist by *Who's Who Legal*, serves as an active non-governmental advisor (NGA) for the Competition Bureau in the International Competition Network, is a member of the C.D. Howe Competition Policy Council, and is a frequent speaker at competition conferences globally.

AREAS OF EXPERTISE

- Antitrust & Competition

EDUCATION

- **Northeastern University**
PhD in Economics
- **Duke University**
MA in Economics
- **University of Louisiana at Monroe**
BBA in Economics

PROFESSIONAL EXPERIENCE

- **The Brattle Group (2015–Present)**
Principal
- **Microeconomic Consulting and Research Associates, Inc. (MiCRA) (January–May 2015)**
Principal
- **Competition Bureau Canada (2010–2014)**
T.D. MacDonald Chair in Industrial Economics (2014)
Special Economic Advisor (2011–2013)
Competition Law Officer (2010–2011)
- **Microeconomic Consulting and Research Associates, Inc. (MiCRA) (2003–2011)**
Senior Economist
- **IBM Business Consulting Services (including its predecessor, the Washington Consulting Practice of PricewaterhouseCoopers) (2001–2003)**
Senior Consultant

EXPERT TESTIMONY

- **Canadian Competition Tribunal**
Authored an expert report and provided expert testimony at the Competition Tribunal on behalf of SECURE Energy Services regarding its acquisition of Tervita Corporation in *Commissioner of Competition v. Secure Energy Services Inc.* (May 2022)
- **Canadian Radio-television and Telecommunications Commission**
Provided oral testimony on behalf of the Competition Bureau at Broadcasting Notice of Consultation 2014-190 “Let’s Talk TV” hearing (September 8, 2014)

SELECTED CONSULTING EXPERIENCE

For 20 years, I have been providing economic consulting services in numerous industries. The list of selected experience included below does not include active engagements or past engagements where my involvement was not in the public domain, is not known by other parties involved, and/or for which authorization to disclose my involvement has not been provided by clients.

MERGER ANALYSIS

- Provided written and oral presentations to the Competition Bureau on behalf of Federated Co-operatives Limited in connection with its acquisition of Husky retail gas locations from Cenovus Energy Inc.
- Provided written and oral presentations to the US Federal Trade Commission on the economic implications of an acquisition in the propane industry.
- Provided written and oral presentations to the Competition Bureau and the Directorate-General and the Chief Economist Team of the European Commission Directorate-General for Competition on behalf of Air Transat Inc. in connection with the proposed acquisition by Air Canada.
- Retained as the outside expert by Paper Excellence Canada Holdings Corporation in connection with the acquisition of the pulp production business of Catalyst Paper Corporation.
- Provided written and oral presentations to the Competition Bureau on the economic implications of an acquisition in the retail crop inputs industry.
- Provided written and oral presentations to the Competition Bureau on behalf of Superior Plus LP in connection with its acquisition of the retail propane distribution business of Gibson Energy ULC (Canwest Propane).
- Provided written submissions to the Competition Bureau on behalf of Agrium, Inc. in the review of its merger with PotashCorp of Saskatchewan.
- Provided oral submissions to the Competition Bureau on behalf of Cintas Corporation in its acquisition of G&K Services Inc.
- Provided oral and written submissions to the Competition Bureau on behalf of BCE, Inc. in its acquisition of Manitoba Telecom Systems Inc.
- Provided oral submissions to the Competition Bureau on behalf of Superior Plus Corporation in its proposed acquisition of Canexus Corporation.
- Retained as the outside expert for the Competition Bureau in its review of an acquisition in the insulated metal panels industry.
- Retained by one of the merging parties to provide consulting services in the review of acquisitions in the following industries:

- Food products
- Funeral homes
- Oil and gas
- Car rentals
- Cement
- Natural gas pipelines
- Heavy equipment
- Propane (wholesale and retail)
- Public exchange
- Landfills and bioremediation
- *Commissioner of Competition v. Tervita (CCS Corporation)*

While seconded to the Competition Bureau, served as the Bureau’s internal economist on its review of the acquisition and subsequent litigation before the Competition Tribunal and appeals before the Federal Court of Appeal and the Supreme Court of Canada.
- While seconded to the Competition Bureau, led the analysis of competitive effects for merger investigations in the following industries:
 - Grocery retailing
 - Fertilizer manufacturing and retailing
 - Newspapers
 - Cement
 - Fast food retailing
 - Oriented strand board production
 - Milk production
 - Armoured car services
 - Broadcasting
 - Telecommunications
 - Sports and entertainment
 - Lumber
 - Car rental
 - Equities trading and post-trade clearing services
 - Upstream oil and gas
 - Consumer auto products
 - Mining consumables
 - Construction rental equipment
- In support of another expert, led the analysis of competitive effects for merger investigations in the following industries:
 - Retail chains
 - Grocery retailing
 - Hotels
 - Drug manufacturing
 - Roofing materials
 - Hospital transport
 - Eyeglass and sunglass retailing and manufacturing
 - Passenger air travel
 - Newspapers
 - Newsprint production
 - Nitrogen-based fertilizers
 - Paint and chemical manufacturing
 - Beer manufacturing
 - Satellites
 - Asphalt and aggregates
 - Search engines and advertising
 - Bioremediation

ABUSE OF DOMINANCE/MONOPOLISTIC PRACTICES

- Provided oral and written submissions to the Directorate-General and the Chief Economist Team of the European Commission Directorate-General for Competition in an abuse of dominance matter.
- *Commissioner of Competition v. Toronto Real Estate Board*
While seconded to the Competition Bureau, served as the Bureau's internal economist on its investigation and subsequent litigation before the Competition Tribunal.
- While seconded to the Competition Bureau, served as the internal economist on civil investigations involving the following industries:
 - Broadcasting
 - Professional sports leagues
 - Grocery retailing
 - Search advertising and optimization
 - Waste collection
- *L-3 Communications v. Lockheed Martin*
Led the support of an expert testifying on the liability aspect of monopolization and foreclosure in the antisubmarine warfare aircraft refurbishment industry.

PRICE FIXING

- Provided oral and written submissions to the Competition Bureau on behalf of a defendant in an alleged price-fixing matter.
- *Horizon Sports v. Newport Adhesives*
Led the empirical support of an expert testifying on the estimated overcharge resulting from the price fixing of carbon fiber.
- *In re: USF Telephone Billing Practices Litigation*
Led the support of an expert testifying on behalf of the defendants in the alleged price fixing of the universal service fees.
- Led the empirical support of an expert analyzing the competitive effects of an alleged agreement in the following industries:
 - Parcel-tanker shipping (Canada)
 - Air cargo (US and Europe)
 - Maritime shipping (US)

EXPERT REPORTS IN REGULATORY MATTERS AND OTHER VENUES

- "Valuing an Accelerated Clearing of the C- Band Spectrum in Canada," with Coleman Bazelon and Paroma Sanyal, prepared on behalf of Intelsat in the Government of Canada, in the Consultation on the Technical and Policy Framework for the 3650-4200 MHz Band and Changes to the Frequency Allocation of the 3500-3650 MHz Band (August 2020)

- “Reply to the Report of Zhiqi Chen: ‘Assessment of an Expert Report by The Brattle Group Regarding Telecom Order CRTC 2019-288,’” with Agustin J. Ros, Dimitri Dimitropoulos, and Ian Cass, prepared for Bragg Communications Inc. (c.o.b. Eastlink), Cogeco Communications Inc., Rogers Communications Canada Inc., Shaw Cablesystems G.P., and Videotron Ltd., in the Application for Review and Variance and a Stay of Telecom Order CRTC 2019-288 (March 13, 2020)
- “Analysis of CRTC’s Final Rates for Aggregated Wholesale High-Speed Access Services: Impact on Broadband Network Investment and Innovation,” with Agustin J. Ros, Dimitri Dimitropoulos, and Ian Cass, prepared for Bragg Communications Inc. (c.o.b. Eastlink), Cogeco Communications Inc., Rogers Communications Canada Inc., Shaw Cablesystems G.P., and Videotron Ltd., in the Petition to the Governor in Council pursuant to Section 12 of the *Telecommunications Act* Re: Telecom Order CRTC 2019-288 and in the Application for Review and Variance and a Stay of Telecom Order CRTC 2019-288 (November 13, 2019)
- Submitted a confidential expert report for mediation on behalf of plaintiffs in a civil matter against the Government of Canada and the Government of Ontario related to the justice system (December 10, 2018)
- “An Analysis of Broadband Services in Canada; Competition, Regulation, and Investment,” with Coleman Bazelon and Agustin J. Ros, prepared for Shaw Communications Inc., in the Competition Bureau Market Study: Competition in Broadband Services (August 30, 2018)

ARTICLES & PUBLICATIONS

- “Trends in Consumer Shopping Behavior and Their Implications for Retail Grocery Merger Reviews,” with Dimitri Dimitropoulos and Loren K. Smith, *Competition Policy International Antitrust Chronicle* (December 2021)
- “The Canadian Competition Bureau and Big Data: Interview with Renée Duplantis, PhD, former TD MacDonald Chair in Industrial Economics at the Competition Bureau,” with Zirjan Derwa, *Competition Law International*, 15(2), pp 149–152 (December 2019)
- “The Importance of Quantifying Non-Price Effects in Canada,” with Ian Cass, *Concurrences Review*, No. 2, pp. 51–57 (2017)
- “Economic Analysis of Retail Mergers at the Competition Bureau,” Competition Bureau White Paper (September 14, 2014)
- “Do Mergers Among Publishers of Academic Journals Affect Prices?,” working paper (2010)
- “Pass-through of Non-sunk Fixed Costs with an Application to Fuel Costs,” working paper (2010)
- “Merger Effects in Markets for Highway Construction,” working paper (2010)

- “From Structure to Effects: the Economics of Merger Control,” with R. S. Khemani and R. Warren-Boulton, *Global Competition Review* (June 2008)

PRESENTATIONS & SPEAKING ENGAGEMENTS

MERGER ANALYSIS

- “Vertical Mergers – Economic Perspectives and Practical Guidance” (moderator), Canadian Bar Association Teleconference (December 8, 2021)
- “Opening the Black Box – The Inside Scoop on Competition Bureau Merger Reviews,” Canadian Bar Association, 2021 Annual Fall Competition Law Symposium (October 18, 2021)
- “Economic Issues in an Increasingly Progressive Merger Enforcement Environment,” Fordham Competition Law Institute International Antitrust Law & Policy Conference (September 29, 2021)
- “Econometrics and Modeling for Mergers Globally” (moderator), Fordham Competition Law Institute International Antitrust Law & Policy Conference (October 7, 2020)
- “The Impact of COVID-19 on Merger Control,” Canadian Bar Association Teleconference (April 8, 2020)
- “Merger Control in the Face of COVID-19,” White & Case Teleconference (March 31, 2020)
- “The Future of the Efficiencies Defense in Canadian Competition Law,” Canadian Economic Association Meetings, Banff, AB (June 2, 2019)
- “ARC Requests and Market Definition 101,” Canadian Bar Association Young Lawyers and Mergers Committee Teleconference (December 18, 2018)
- “From market shares and form-based approach to unilateral effects in innovation and Intel – 15 years of competition economics,” Association of Competition Economists, Bologna, Italy (November 15, 2018)
- “Evidentiary Standards in Mergers with Innovation,” International Competition Network Merger Workshop, Breakout Session, Tokyo, Japan (November 8, 2018)
- “Non-Price Effects in Competition Analysis: Fact or Fiction?” Canadian Bar Association, 2016 Annual Fall Competition Law Conference, Ottawa, ON (October 6, 2016)

- “Mergin’ On Up: Current Issues in Vertical Transactions,” American Bar Association/ Canadian Bar Association Brownbag Teleconference (May 25, 2016)
- “Non-price Effects in Competition Assessment”(moderator), Competition Bureau Emerging Competition Issues Workshop, Ottawa, ON (January 18, 2016)
- “A New World Order? Implications of the Supreme Court’s Decision in *Tervita* for Mergers?” Canadian Bar Association, 2015 Annual Fall Competition Law Conference, Ottawa, ON (October 2, 2015)
- “The Relationship between Competition and Innovation,” Competition Bureau Innovation and Antitrust Workshop, Ottawa, ON (November 4, 2014)
- “Issues in the Retail Environment,” Canadian Bar Association, 2014 Annual Fall Competition Law Conference, Ottawa, ON (September 18, 2014)
- “The Use of Econometric Data in Merger Review,” American Bar Association International Section of Law / International Association of Young Lawyers Conference, Chicago, IL (June 7, 2014)
- “Challenges in Merger Review: Price Discrimination,” Canadian Economic Association Meetings, Vancouver, BC (May 30, 2014)
- “Structural Approaches vs. Competitive Effects – How the Canadian Competition Bureau Strikes a Balance,” Keynote Address, Canadian Bar Association Roundtable Event: Meet the Competition Bureau Economists, Toronto, ON (April 3, 2014)
- “Quantitative Methods for Competition Analyses,” with Dennis Lu, Presentation to the Mergers Branch, Gatineau, QC (May 22, 2013)
- “Bureau’s Use of Econometrics in Merger Cases,” Competition Bureau/Canadian Bar Association Mergers Roundtable, Toronto, ON (May 10, 2013)
- “Econometric Tools in Merger Reviews,” with Dennis Lu and Patrick Hughes, Presentation to the Commissioner of Competition, Gatineau, QC (February 6, 2013)
- “The Rough Guide to the *Commissioner of Competition v. CCS et al.*,” with Nikiforos Iatrou and Trevor MacKay, Competition Bureau Town Hall, Gatineau, QC (February 23, 2012)

ABUSE OF DOMINANCE/MONOPOLISTIC PRACTICES

- “Monopoly Games: Moving past populist rhetoric to a digital competition policy that serves innovators and consumers,” MacDonald-Laurier Institute Panel (June 10, 2021)
- “Economic Issues Involving Platforms, Privacy and the Digital Economy” (co-moderator), Canadian Bar Association Teleconference (February 16, 2021)
- “Abuse of Dominance Comes in for a Landing: The State of s.79 Following VAA and TREB,” Canadian Bar Association Teleconference (January 17, 2020)
- “Competition Issues Involving Vertical Unilateral Conduct,” Canadian Bar Association Teleconference (November 21, 2019)
- “Abuse of Dominance in a Changing World,” Canadian Bar Association, 2019 Annual Spring Competition Law Conference, Toronto, ON (May 7, 2019)
- “TREB, AMEX and the Future of Monopolization in Data-Driven Markets,” Canadian Bar Association, 2018 Annual Fall Competition Law Conference, Ottawa, ON (September 27, 2018)
- “Vertical Restraints in Online Markets,” International Competition Network Annual Meeting, Breakout Session, Singapore (April 27, 2016)

ECONOMICS/OTHER COMPETITION ISSUES

- “Canadian Competition Reform: Views from Practice,” USC Gould School of Law Center for Transnational Law and Business and University of Toronto Faculty of Law’s Future of Law Lab Roundtable (March 31, 2022)
- “Digital Strategy of Competition Agencies,” International Competition Network Annual Meeting, Agency Effectiveness Working Group plenary session (September 15, 2020)
- “Economics of Antitrust Analysis and Policy: The Relevance of Gender,” American Bar Association Antitrust Law Section Panel, Washington, DC (November 19, 2019)
- “Integrating Economics in Case Assessments – Lessons Learned from Experience” (moderator), International Competition Network Annual Meeting, Breakout Session, New Delhi, India (March 22, 2018)

- “Expanding the Right of Private Access,” Canadian Economic Association Meeting, Antigonish, NS (June 3, 2017)
- “Economists of Scale and Scope – the Role of Expert Economists for Effective Enforcement,” International Competition Network Annual Meeting, Breakout Session, Porto, Portugal (May 12, 2017)
- “Economists and the ICN,” International Competition Network Chief/Senior Economists Workshop, Vancouver, BC (September 13, 2016)
- “Economists and the ICN,” International Competition Network Annual Meeting, Breakout Session, Singapore (April 27, 2016)
- “Notification in Aisle 5: A Cross-Border Survey of Econometric Trends and Tools,” American Bar Association / Canadian Bar Association Brownbag Teleconference (April 21, 2014)
- “Managing Economics Experts,” Presentation to the Competition Bureau, Gatineau, QC (2012, 2014)

LECTURES

- Guest lecturer in Ivey Business School at Western University Microeconomics Course, London, ON (2016–2021)
- Guest lecturer in Northeastern University Industrial Organization Doctoral Course, Boston, MA (2016, 2018, 2020, 2022)
- Guest lecturer in Western University Industrial Organization Honours Course, London, ON (2013–2016)
- Guest lecturer in York University, Osgoode Hall Law School Competition Course, Toronto, ON (2014, 2020, 2021, 2022)
- “The Economics of Cartels,” Competition Bureau Basic Industrial Organization Course, Gatineau, QC (2014)

SELECTED HONORS & AWARDS

- 2021–2022 *Who’s Who Legal: Thought Leaders – Competition*
- 2018–2022 *Who’s Who Legal: Competition Economists*
- 2018–2022 *Who’s Who Legal: Consulting Experts*
- 2017–2022 *Who’s Who Legal: Canada*

2017	<i>Who's Who Legal: Competition – Future Leaders – Economists</i>
2015	Deputy Minister Merit Award Winner, Competition Bureau
2014, 2015	Commissioner Merit Award Winner, Competition Bureau
2011, 2013	Commissioner Merit Award Finalist, Competition Bureau
2011–2015	Deputy Commissioner Merit Award Winner, Competition Bureau

PROFESSIONAL ASSOCIATIONS & MEMBERSHIPS

- Competition Policy Council, C.D. Howe Institute (2016–present)
 - Non-governmental Advisor to the International Competition Network, Competition Bureau Canada (2015–present)
 - *Canadian Competition Law Review*
 - Editor-in-Chief (2020–2021)
 - Editorial Board (2015–2021)
 - Affiliate member, Canadian Bar Association
 - Associate member, American Bar Association
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CITIZENSHIP

- Canada
- United States