

THE COMPETITION TRIBUNAL

IN THE MATTER OF the *Competition Act*, R.S.C. 1985, c. C-34 (the "*Act*");

AND IN THE MATTER OF an application by Whitecap Partnership by its managing partner Whitecap Resources Inc. for an order pursuant to section 103.1 of the *Act* granting leave to bring an application under section 74.1(1) of the *Act*;

AND IN THE MATTER OF an application by Whitecap Partnership by its managing partner Whitecap Resources Inc. for one or more orders pursuant to section 74.1(1) of the *Act*;

BETWEEN:

WHITECAP PARTNERSHIP by its managing partner WHITECAP RESOURCES INC.

Applicant

– and –

PULSE SEISMIC by its general partner PULSE SEISMIC INC.

Respondent

NOTICE OF APPLICATION FOR LEAVE
(Pursuant to section 103.1 of the *Competition Act*)

TAKE NOTICE THAT:

1. The Applicant will make an application to the Competition Tribunal (the "**Tribunal**") on a date and time to be set by the Tribunal at Ottawa or Toronto, Ontario, pursuant to section 103.1 of the *Competition Act* (the "**Act**") seeking leave to bring an application for:

- (a) An Order pursuant to section 74.1(1) of the *Act* prohibiting Pulse Seismic, by its general partner Pulse Seismic Inc. ("**Pulse**"), from engaging in practices of anti-competitive acts,

including making false and misleading representations to the public as to the "ordinary price" of Pulse's seismic data;

- (b) An Order pursuant to section 74.1(1) requiring Pulse to publish or otherwise disseminate a notice, to bring attention to the class of persons likely to have been reached or affected by the conduct, that Pulse has made false or misleading representations about the "ordinary" price of its seismic data pursuant to subsections 74.01(1) and 74.01(3) or the *Act*;
- (c) An Order pursuant to section 74.1(1)(d) of the *Act* requiring Pulse to pay an amount, not exceeding the total of the amounts paid to Pulse for the products in respect of which the conduct was engaged in, to be distributed among the Applicant and any other person affected by Pulse's conduct, in any manner that the Tribunal considers appropriate;
- (d) An Order directing Pulse to pay costs;
- (e) An Order for costs if the within Application is opposed; and
- (f) Such further and other relief as the Applicant may request and the Tribunal deems just.

Dated at Calgary this 25th day of March 2026.

BURNET, DUCKWORTH & PALMER LLP

Per:



Craig O. Alcock
**Counsel for the Applicant, Whitecap
Partnership by its managing partner
Whitecap Resources Inc.**

Burnet, Duckworth & Palmer LLP
2400, 525 – 8th Ave S.W.
Calgary, AB T2P 1G1

Telephone: 403-260-0120
Email: coa@bdplaw.com

**TO: The Registrar
Competition Tribunal
90 Sparks Street, Suite 600
Ottawa, ON K1P 5B4
Tel: 613-957-7851
Fax: 614-952-1123**

AND TO: Jeanne Pratt
Commissioner of Competition
Competition Bureau
50 Victoria Street
Gatineau, QC K1A 0C9
Tel: 819-997-4282
Fax: 819-997-0324

AND TO: Pulse Seismic Inc.
Suite 2700, 421 – 7 Avenue SW
Calgary, AB T2P 4K9

File No.: _____

THE COMPETITION TRIBUNAL

IN THE MATTER OF the *Competition Act*, R.S.C. 1985, c. C-34 (the "*Act*");

AND IN THE MATTER OF an application by Whitecap Partnership by its managing partner Whitecap Resources Inc. for an order pursuant to section 103.1 of the *Act* granting leave to bring an application under section 74.1(1) of the *Act*;

AND IN THE MATTER OF an application by Whitecap Partnership by its managing partner Whitecap Resources Inc. for one or more orders pursuant to section 74.1(1) of the *Act*;

BETWEEN:

WHITECAP PARTNERSHIP by its managing partner WHITECAP RESOURCES INC.

Applicant

– and –

PULSE SEISMIC by its general partner PULSE SEISMIC INC.

Respondent

NOTICE OF APPLICATION FOR LEAVE
(Pursuant to section 103.1 of the *Competition Act*)

BURNET, DUCKWORTH & PALMER LLP

2400, 525 – 8th Ave S.W.
Calgary, AB T2P 1G1

Craig Alcock (coa@bdplaw.com)
Lisa Manners (ljm@bdplaw.com)

Tel: 403-260-0120

Lawyers for the Applicant, Whitecap Partnership by its managing partner Whitecap Resources Inc.