

Date: 20070920

Docket: 07-A-26

Citation: 2007 FCA 300

**CORAM: NOËL J.A.
SHARLOW J.A.
PELLETIER J.A.**

BETWEEN:

FRIENDS OF ROCKWOOD PARK INC.

Applicant

and

EMERA INC. and THE EMERA BRUNSWICK PIPELINE COMPANY LTD.

Respondents

Heard at Ottawa, Ontario, on September 20, 2007.

Order delivered from the Bench at Ottawa, Ontario, on September 20, 2007.

REASONS FOR ORDER OF THE COURT BY:

NOËL J.A.

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NOËL J.A.

[1] Having considered the written and oral submissions of the Applicant, we have not been persuaded that their proposed appeal raises an arguable question of law and jurisdiction with the meaning of section 22 of the *National Energy Board Act*, R.S.C. 1985, c. N-7.

[2] Leave to appeal will therefore be dismissed with costs. An order is issued accordingly.

“Marc Noël”

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: 07-A-26

STYLE OF CAUSE: FRIENDS OF ROCKWOOD PARK
INC. and EMERA INC. and THE
EMERA BRUNSWICK PIPELINE
COMPANY LTD.

PLACE OF HEARING: Ottawa, Ontario

DATE OF HEARING: September 20, 2007

REASONS FOR ORDER OF THE COURT BY: NOËL J.A.
SHARLOW J.A.
PELLETIER J.A.

DELIVERED FROM THE BENCH BY: NOËL J.A.

APPEARANCES:

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| Ms. Lara Tessaro | FOR THE APPLICANT |
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| Mr. Peter C.P. Thompson, Q.C. Ms. Krsten Crain | FOR THE RESPONDENT Repsol Energy Canada Ltd |
| Mr. Jake Harms | FOR THE RESPONDENT The Attorney General of Canada |

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Pipeline Company Ltd.

FOR THE RESPONDENT
Repsol Energy Canada Ltd

FOR THE RESPONDENT
The Attorney General of Canada