

CANADA / JUDGMENT

Dome Petroleum Ltd. v. Public Utilities Board (Alberta) et al.

[1977] 2 SCR 822

COURT

Supreme Court of Canada

DECIDED

31 January 1977

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Dome Petroleum Ltd. v. Public Utilities Board (Alberta) et al. Collection Supreme Court
Judgments Date 1977-01-31 Report

[1977] 2 SCR 822 Judges Martland, Ronald; Judson, Wilfred; Ritchie, Roland Almon; Spence, Wishart Flett; Pigeon, Louis-Philippe; Dickson, Robert George Brian; Beetz, Jean; de Grandpré, Louis-Philippe On appeal from Alberta Subjects Public utilities Decision Content Supreme Court of Canada Dome Petroleum Ltd. v. Public Utilities Board (Alberta) et al., [1977] 2 S.C.R. 822 Date: 1977-01-31 Dome Petroleum Limited Appellant; and Public Utilities Board of the Province of Alberta and Canadian Superior Oil Ltd. Respondents. 1977: January 31. Present: Martland, Judson, Ritchie, Spence, Pigeon, Dickson, Beetz and de Grandpré JJ. ON APPEAL FROM THE SUPREME COURT OF ALBERTA, APPELLATE DIVISION Public utilities—Permits to remove propane from Alberta granted to appellant by Energy Resources Conservation Board—Jurisdiction of Public Utilities Board to infringe upon permits—Allocation plan requiring owners of certain gas utilities including appellant to supply propane to Alberta market upon terms imposed by Utilities Board—Board correct as matter of law in taking into account appellant's production of propane in a mix gathered for removal from Alberta—Compliance by Utilities Board with s. 8 of The Administrative Procedures Act, R.S.A. 1970, c. 2—The Gas Resources Preservation Act, R.S.A. 1970, c. 157—The Gas Utilities Act, R.S.A. 1970, c. 158, s. 27(e). APPEAL from a judgment of the Supreme Court of Alberta, Appellate Division[1], dismissing an appeal by the appellant from an order made by the respondent Board. Appeal dismissed. C.D. O'Brien and J.D.B. MacDonald, for the appellant. W.B. Gill, Q.C., for the Public Utilities Board. T. Mayson, Q.C., for Canadian Superior Oil Ltd. The judgment of the Court was delivered orally by MARTLAND J.—The thorough argument submitted by counsel for the appellant has failed to persuade us that the judgment of the Appellate Division was wrong in law. The appeal is dismissed with costs. Appeal dismissed with costs. Solicitors for the appellant: Jones, Black & Co., Calgary. Solicitors for the respondent, Public Utilities Board of the Province of Alberta: Gill, Cook, Calgary. Solicitors for the respondent, Canadian Superior Oil Ltd.: Milner & Steer, Edmonton.

[1] (1976), 2 A.R. 453.

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