

**Toronto
Port
Authority**



**Administration
Portuaire
de Toronto**

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**Toronto Port Authority welcomes decision of Federal Court related to the
judicial review initiated by Air Canada**

Toronto – The Toronto Port Authority (“TPA”) confirmed today that it has received the legal judgment in its favour related to the judicial review initiated by Air Canada in the Federal Court of Canada. The court hearing was held on July 6-8, 2010, and provided the TPA with a forum to respond to each in a series of accusations and complaints leveled by Air Canada over a number of years. As a result of the outstanding litigation at the time, the TPA was never in a position to comment on the matter until today.

Air Canada’s court challenge surrounded the manner in which the TPA had dealt with Air Canada’s degradation of service at the Billy Bishop Toronto City Airport (“BBTCA”) over the 15 years that it operated on the site, prior to allowing its terminal lease to expire in 2004. The Federal Court also reviewed the circumstances surrounding the TPA’s various agreements with Porter Airlines, and the recently-announced 90 commercial carrier slot awards, that saw Air Canada and Continental Airlines receive a majority of the new slots allocated for use at the BBTCA.

The Federal Court Judge rejected all of Air Canada’s complaints in the decision released late yesterday. The Judge determined that the TPA conducted itself reasonably in “what was simply a business decision.” The Judge added to the extent the Federal Court did have jurisdiction, “the decisions of the TPA were reasonable” and “should not be set aside.” A copy of the decision has been posted on the TPA’s website.

“We welcome the Judge’s affirmation that the TPA’s decisions regarding Air Canada, Porter Airlines and the Billy Bishop Toronto City Airport were reasonable and made commercial sense,” said Mark McQueen, Chairman of the TPA. “The TPA prides itself on its stewardship of many important public assets, and this judicial review confirms that the TPA acted professionally and in the public interest at all times in this matter.

“We look forward to welcoming Air Canada’s new service at the airport later this year,” added Geoffrey Wilson, TPA President and CEO. “We expect that Air Canada will now accept the judge’s decision, embrace their recent slot award, and seize this opportunity to finally take advantage of all of the benefits of a thriving Billy Bishop Airport.”

About the Toronto Port Authority

The Toronto Port Authority was incorporated on June 8, 1999 as a government business enterprise under the Canada Marine Act as the successor to the Toronto Harbour Commissioners. It is a federal public authority providing transportation, distribution, storage and container services to businesses. The TPA owns and operates the Billy Bishop Toronto City Airport, Marine Terminals 51 and 52, and the Outer Harbour Marina. The TPA also provides regulatory controls and public works services to enhance the safety and efficiency of marine navigation and aviation in the port and harbour of Toronto.

Further information about the TPA is available at www.torontoport.com.

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