



**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

Issued by the Department of Transportation  
on the 27th day of December, 1996

SERVED: January 3, 1997

Complaint of  
**NORTHWEST AIRLINES, INC.**  
  
against  
  
**THE GOVERNMENT OF JAPAN**  
  
under 49 U.S.C. section 41310

**Docket OST-96-1500**

**ORDER EXTENDING ACTION DEADLINE**

On July 3, 1996, Northwest filed a complaint under 49 U.S.C. section 41310 against the Government of Japan (Japan). Northwest states that Japan has refused to authorize its proposed Seattle-Osaka-Jakarta service in violation of the U.S.-Japan Air Transport Agreement.

By Order 96-7-6, July 5, 1996, we invited all interested parties to file answers and replies to Northwest's complaint. Answers were filed by United Air Lines, Inc., Japan Airlines Company, Ltd. (JAL), the State of Hawaii, the Port of Seattle, and the Hiroshima Prefecture. Northwest, Hawaii, and JAL filed replies. JAL and United filed additional responsive pleadings.

By Orders 96-8-42, 96-9-40, 96-10-43, and 96-11-27 the Department extended the deadline for action on Northwest's complaint for consecutive 30-day periods, through December 30, 1996, concluding that the public interest was best served by providing additional time to reach a negotiated resolution of this matter.

On December 24, 1996, Northwest filed a motion requesting a further extension of the action deadline through January 30, 1997. After careful consideration of Northwest's request and the relevant circumstances of this case, we believe that the public interest is best served by granting Northwest's waiver request and deferring action on the complaint for an additional 30 days. <sup>1</sup>

**ACCORDINGLY,**

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<sup>1</sup> Under the Department's regulations, answers to Northwest's request would not be due until seven business days after its filing, *i.e.*, January 6, 1997. As that would be after expiration of the current action deadline, December 30, 1996, we have decided to act on Northwest's request without awaiting expiration of the period for answers. Should any answers be filed, we will address them in a subsequent order.

1. We grant the motion of Northwest Airlines, Inc., to defer action through January 30, 1997, on its complaint against the Government of Japan in Docket OST-96-1500; and

2. We will serve this order on Northwest Airlines, Inc.; American Airlines, Inc.; Continental Micronesia, Inc.; Delta Air Lines, Inc.; Federal Express Corporation; Trans World Airlines; United Air Lines, Inc.; United Parcel Service, Inc.; Japan Airlines Company, Ltd.; All Nippon Airways Co, Ltd.; Japan Air System Company, Ltd.; Japan Air Charter Co., Ltd.; Japan Asia Airways Co., Ltd.; Japan Universal System Transport Co., Ltd.; Nippon Cargo Airlines Company, Ltd.; World Air Network Co., Ltd.; the Hiroshima Prefecture; the Port of Seattle, the State of Hawaii; the United States Department of State (Office of Aviation Negotiations); the Assistant U.S. Trade Representative (Asia), the Office of the United States Trade Representative; the United States Department of Commerce (Office of Service Industries); the Ambassador of Japan in Washington, D.C.; and the Air Transport Association.

By:

**CHARLES A. HUNNICUTT**  
**Assistant Secretary for Aviation**  
**and International Affairs**

(SEAL)