



Order 97-7-13  
Served: July 14, 1997

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

Issued by the Department of Transportation  
on the 14<sup>th</sup> day of July, 1997

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Application of :  
 :  
**AIR JAMAICA LIMITED** : DOCKET OST 96-1881  
 :  
for extension of exemption :  
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**ORDER**

**Summary**

By this order, we extend Air Jamaica Limited's exemption to conduct scheduled combination operations between New York, New York, and Atlanta, Georgia, on the one hand, and Barbados, on the other, via the intermediate points Antigua and Barbuda and St. Lucia, for 45 days, through August 28, 1997. This authority was last granted by Order 97-5-21 and is limited to operations conducted under wet lease by a duly authorized and properly supervised U.S. or foreign carrier.

**Background**

On October 18, 1996, Air Jamaica requested an exemption for two years to conduct the extrabilateral operations described above. Amerijet International, Inc., answered and stated that comity and reciprocity did not support grant of the request. Specifically, Amerijet stated that it was unable to secure facilities at Jamaican airports from the Airports Authority of Jamaica to self-handle its cargo, a bilateral right.

By Orders 96-11-30, 97-2-22, 97-3-40, 97-4-25 and 97-5-21, the Department found that it was in the public interest to grant Air Jamaica's request, for the reasons noted in those orders, for limited periods, the latest such period ending July 14, 1997, and to defer on the remainder.

**Decision**

As stated in the Orders noted above, various intergovernmental and intercarrier efforts aimed at resolving Amerijet's concerns have been continuing and positive movement towards resolution of Amerijet's issues has taken place. In fact, by Order 97-5-21, the most recent Order issued in this Docket, we stated our expectation that Amerijet would be able to commence operations to Kingston on July 15, 1997, its planned start-up date for these services.

It is our understanding that issues remain unresolved between Amerijet and the Airports Authority of Jamaica and that, because of this, the carrier will not be able to institute service by that date. On the other hand, we have been informed that significant progress has been made since the issuance of Order 97-5-21. Further, it is our expectation, at this time, that all outstanding issues involving Amerijet's institution of service to Jamaica will be resolved in the near future.

Therefore, we believe that the public interest warrants a further extension of Air Jamaica's authority for an additional 45-day period, and deferral on the carrier's pending request for longer-term authority. As we have stated in previous Orders in this Docket, we will continue to closely monitor this matter.

In view of the above, we find that grant of the authority described here is consistent with the public interest, and that our action does not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975.

**ACCORDINGLY,**

1. We extend Air Jamaica Limited's exemption from the provisions of 49 U.S.C. section 41301, last granted by Order 97-5-21 in this Docket, in order for it to conduct scheduled foreign air transportation of persons, property and mail between New York, New York, and Atlanta, Georgia, on the one hand, and Barbados, on the other, via the intermediate points Antigua and Barbuda and St. Lucia;
2. This authority shall be effective during the period July 15-August 28, 1997;
3. The authority granted above is limited to operations conducted under wet lease from a duly authorized and properly supervised U.S. or foreign carrier. Air Jamaica may not conduct the operations authorized here with its own aircraft and crew without further Department action;
4. To the extent not granted above, we defer action on Air Jamaica's request in this Docket;

5. The authority granted above is subject to the terms, limitations and conditions of Air Jamaica's foreign air carrier permit, as issued by Order 89-3-74;
6. We may amend, modify or revoke this authority at any time and without hearing; and
7. We will serve a copy of this order on Air Jamaica Limited, Amerijet International, Inc., the Ambassador of Jamaica in Washington, D.C., the Department of State (Office of Aviation), and the Federal Aviation Administration (AFS-200).

By:

CHARLES A. HUNNICUTT  
Assistant Secretary for Aviation and  
International Affairs

(SEAL)

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<http://www.dot/general/orders/aviation.html>*

Docket OST 96-1881: Application of Air Jamaica  
Limited for extension of exemption

Charles Hunnicutt  
Assistant Secretary for Aviation  
and International Affairs

Paulette V. Twine, Chief  
Documentary Services/TASC-SVC121.30

Please issue the attached order as soon as is possible.

Attachment  
Dennis Foley, X-45  
202-366-2399

Application of Air Jamaica  
Limited for extension of exemption

Paul L. Gretch, Director  
Office of International Aviation, X-40

Charles Hunnicutt  
Assistant Secretary for Aviation  
and International Affairs

Please sign the attached order that would renew Air Jamaica's exemption through August 28, 1997, for the reasons noted therein.