



**U.S. Department of  
Transportation**  
Office of the Secretary  
of Transportation

## **NOTICE OF ACTION TAKEN**

### **DOCKET OST-98-3544**

This serves as interim notice to the public of the action described below, taken orally by the Department official indicated; the confirming order or other decision document will be issued as soon as possible.

Applicant: **HEAVYLIFT-VOLGADNEPR LTD.**

Date Filed: February 23, 1998

Relief requested: Exemption pursuant to 49 U.S.C. section 40109(g) to permit it to operate one one-way cargo charter flight between Philadelphia, Pa, and Moffett Field, CA, on or about February 28, 1998, using its AN-124 aircraft, to transport one outsized satellite and related equipment on behalf of Lockheed Martin AstroSpace.

Applicant representative: Lester Bridgeman (334) 432-1414

Responsive pleadings: Heavylift-VolgaDnepr served its application on those U.S. carriers operating large all-cargo aircraft. Each carrier indicated that it did not have aircraft available to conduct the proposed operations, and that it had no comment or did not oppose grant of the requested authority to Heavylift-VolgaDnepr.

### **DISPOSITION**

Action: **APPROVED**

Action date: **FEBRUARY 26, 1998**

Effective dates of authority granted: **FEBRUARY 28 - MARCH 3, 1998**

Basis for approval: We found that the application met all the relevant criteria of 49 U.S.C. section 40109(g) for the grant of an exemption of this type, and that the grant was required in the public interest. Moreover, based on the representations of the U.S. carriers, we concluded that no U.S. carrier had aircraft available which could be used to conduct the operation at issue here. We also found that grant of Heavylift-VolgaDnepr's request would prevent undue hardship to Lockheed Martin.

Except to the extent exempted/waived, this authority is subject to standard exemption conditions and to the condition that Heavylift-VolgaDnepr comply with an FAA-approved flight routing for the authorized flight

Action taken by: Charles A. Hunnicutt  
Assistant Secretary for Aviation  
and International Affairs