



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

Issued by the Department of Transportation on April 22, 1998

**NOTICE OF ACTION TAKEN -- DOCKET OST 97-2128**

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Application of US AIRWAYS, INC., d/b/a US AIRWAYS and d/b/a USAIR, filed 2/12/97  
and supplemented 3/27/97 for:

**XX** Renewal for two years of exemption under 49 U.S.C. 40109 to provide the following service:

**Scheduled foreign air transportation of persons, property, and mail between (1) Baltimore, Maryland, and Cancun, Mexico; (2) Charlotte, North Carolina, and Cancun, Mexico; and (3) Philadelphia, Pennsylvania, and Cancun, Mexico. On April 13, 1998, the carrier orally notified the Department that it no longer seeks renewal of its authority to serve the Baltimore-Cancun market.**

Applicant rep: Donald Bliss (202) 383-5300 DOT Analyst: Linda L. Lundell (202) 366-2336

**DISPOSITION**

**XX** **Granted Charlotte/Philadelphia-Cancun (See Remarks)**

**XX** **Dismissed Baltimore-Cancun, without prejudice**

The above action was effective when taken: April 22, 1998, through April 22, 2000, or until 90 days after final Department action on a corresponding certificate application, whichever occurs earlier.

**Action taken by: Paul L. Gretch, Director  
Office of International Aviation**

**XX** **The authority granted is consistent with the aviation agreement between the United States and Mexico.**

Except to the extent exempted or waived, this authority is subject to the terms, conditions, and limitations indicated:

**XX** **Holder's certificate of public convenience and necessity**

**XX** **Standard Exemption Conditions (attached)**

Special Conditions/Remarks: **The U.S.-Mexico exemption authority granted is subject to the dormancy notice requirements set forth in condition 7 of Appendix A of Order 88-10-2.**

On the basis of data officially noticeable under Rule 24(n) of the Department's regulations, we found the applicant qualified to provide the services authorized.

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) immediate action was required and was consistent with Department policy; (2) grant of the exemption was consistent with the public interest; and (3) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:  
<http://dms.dot.gov/general/orders/aviation.html>*