

Posted: June 10,1998

Order 98-6-10

11:05 a.m.

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

**Action on IATA Agreement  
Issued by the Department of Transportation  
on the 10<sup>th</sup> day of June, 1998**

**Docket:** OST-98-3784 <sup>1/</sup>

**Description:** The agreement revises the special fare construction rules set forth in Resolution 024j so as to eliminate application of the one way backhaul rule on journeys within the Western Hemisphere, and for journeys between Argentina, Brazil, Chile, Paraguay, Uruguay and points in Europe/Africa.<sup>2/</sup> Elimination of this check is consistent with our conditions and policies regarding ticketing flexibility.<sup>3/</sup>

We do not find the resolution incorporated in the above docket to be adverse to the public interest or in violation of 49 U.S.C. 41309, provided that approval is subject, where applicable, to conditions previously imposed.

**Accordingly**, we approve and grant antitrust immunity to the agreement, subject, where applicable, to conditions previously imposed.

This order shall be effective and become the action of the Department of Transportation upon the expiration of ten days, unless within such period a petition for review is filed pursuant to 14 CFR 385.30 or the Department gives notice that it will review this order on its own motion. Such actions are subject to judicial review under 49 U.S.C. 46110.

Given the noncontroversial nature of this agreement and the availability of the above procedure, we are waiving the 21-day period prescribed by 14 CFR 303.42.

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<sup>1/</sup> IATA memorandum PTC1/PTC12 Telex Mail Vote 936, filed with the Department on April 24, 1998.

<sup>2/</sup> Resolution 024j complements existing fare construction rules in Resolution 014a.

<sup>3/</sup> See, for example, Order 88-1-38, November 22, 1988; and Order 81-2-87, February 19, 1981.

Paul L. Gretch  
Director, Office of International Aviation