



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, DC

Issued by the Department of Transportation on June 1, 1998

NOTICE OF ACTION TAKEN -- DOCKETS OST 96-1353 & OST-96-1356

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 American Airlines, Inc., filed 4/28/98 to:

XX Renew exemption under 49 U.S.C. 40109 to provide the following service:

Scheduled foreign air transportation of persons, property, and mail between a point or points in the United States, via intermediate points to Manaus, Brasilia, Rio de Janeiro, Sao Paulo, Recife, Porto Alegre, Belem, Belo Horizonte, and Salvador, Brazil, and beyond Brazil to Argentina, Uruguay, Paraguay, and Chile. American has requested the authority for an indefinite duration.

XX Renew allocation of seven weekly U.S.-Brazil combination frequencies

Applicant rep.: Carl B. Nelson, 202-496-5647 DOT analyst: Sylvia Moore, 202-366-6519

DISPOSITION

XX Granted in part (subject to conditions, see below)

XX Balance dismissed (*i.e.*, for longer-term exemption authority)

The exemption authority granted was effective when taken: June 1, 1998, through June 1, 2000, or until 90 days after final Department action on American's corresponding certificate applications in Dockets 48301, 48343, and 48240, whichever occurs earlier.

The frequency allocation was effective when taken: June 1, 1998, and will remain in effect, provided that American continues to hold the necessary underlying authority to serve the U.S.-Brazil market.

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

XX Authority granted is consistent with the aviation agreements between the United States and Brazil, the United States and Argentina, the United States and Uruguay, the United States and Paraguay, and the United States and Chile.

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 authority granted to serve intermediate points is limited to countries with which the United States has signed open-skies agreements and/or countries for which the carrier holds authority to serve under certificates or exemptions issued by the Department, and for which it holds route integration authority by virtue of either the present action or other action of the Department.

(See Reverse Side)

Consistent with our standard practice, the frequency allocation granted is subject to the condition that it will expire automatically and the frequencies will revert to the Department for reallocation if they are not used for a period of 90 days.

In addition, as is our standard practice for this type of application, we renewed American's exemption authority for a period of two years, and dismissed its request for longer-term authority.

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 authority 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 or dismissed, 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>*