



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

Issued by the Department of Transportation on May 12, 1998

NOTICE OF ACTION TAKEN -- DOCKET OST 96-1357

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 Northwest Airlines, Inc., filed 3/20/98 to:

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

Scheduled foreign air transportation of persons, property, and mail between Anchorage, Alaska, on the one hand, and Magadan, Khabarovsk, Vladivostok, and Petropavlovsk-Kamchatski, Russia, on the other. Northwest intends to operate this service pursuant to a code-share arrangement with Alaska Airlines.

XX Waiver of 14 CFR 377.10(c)

Applicant rep: Megan Rae Poldy, (202) 842-3193 DOT Analyst: Sylvia Moore, (202) 366-6519

DISPOSITION

XX **Granted** (subject to conditions, see below)

The above action was effective when taken: May 12, 1998, through May 12, 2000

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

XX **The exemption authority granted is consistent with the Air Transport Agreement between the United States and the Russian Federation, entered into force January 14, 1994. (Although the Annexes to the Agreement have expired, they continue to be invoked by both parties as the operative source of the rights governing the relationship.)**

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 code-sharing operations conducted under this authority must comply with 14 CFR 399.88 of the Department's regulations and any amendments to the Department's regulations concerning code-share arrangements that may be adopted, and are expressly conditioned upon the requirements that the subject foreign air transportation be sold in the name of the carrier holding out such service in computer reservation systems and elsewhere; that the carrier selling such transportation (*i.e.*, the carrier shown on the ticket) accept all obligations established in its contract of carriage with the passenger; and that the passenger liability of the operating carrier be unaffected.

Northwest requested a waiver from the 60-day advance filing requirement of 14 CFR 377 to ensure that its authority would continue in effect beyond the expiration date (May 8, 1998), pending action on its renewal application. On May 1, 1998, we orally granted the request. We confirm that action here. Northwest's authority, therefore, has remained in effect pending action on its renewal application.

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 and waiver were 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.

(See Reverse Side)

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>.*