



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

Issued by the Department of Transportation on May 22, 1998

NOTICE OF ACTION TAKEN -- DOCKET OST 98-3859

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).

Applicant: **North East Cargo Airlines**

Date Filed: May 18, 1998

Relief requested: Exemption from 49 U.S.C. 41301 to engage in charter foreign air transportation of property and mail between the Russian Federation and the United States; and to perform other all-cargo operations in accordance with 14 CFR Part 212 of the Department's rules.

If renewal, date and citation of last action: North East Cargo Airlines most recently held this authority during the period January 15, 1997 - January 15, 1998. See Order 97-4-28.

Applicant representative: Glenn P. Wicks, (202) 637-5683

Responsive pleadings: None

DISPOSITION

Action: Approved

Action date: May 22, 1998

Effective dates of authority granted: May 22, 1998 - May 22, 1999

Basis for approval (bilateral agreement/reciprocity): 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/waived, this authority is subject to the terms, conditions, and limitations indicated:

Standard exemption conditions (attached) Foreign air carrier permit conditions (Order - -)

Special conditions/Partial grant/Denial basis/Remarks: The authority granted above is subject to the conditions we previously imposed on the carrier (*see* Orders 97-4-28 and 95-12-18).

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

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) the applicant was qualified to perform its proposed operations; (3) grant of the exemption was consistent with the public interest; and (4) 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>.*