



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

Issued by the Department of Transportation on November 13, 1998

NOTICE OF ACTION TAKEN -- DOCKET OST-97-3178

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 United Parcel Service Co. filed 10/14/98 for:

XX Exemption from Order 96-9-16; startup deadline:

By Order 96-9-16 the Department allocated United Parcel Service six weekly all-cargo frequencies for services in the U.S.-Thailand market. That award was 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. Under the terms of the order UPS' frequency allocation would expire on April 1, 1997, if UPS did not begin service by that date. UPS commenced service with one of the six frequencies by the April 1 startup date. Since then, the Department has granted extensions of the startup date for the remaining frequencies through December 31, 1998. (See Orders 97-5-6 and 98-1-6 and Notice of Action Taken dated June 15, 1998.) UPS states that because of the continuing economic difficulties in Thailand impacting the level of demand for its U.S.-Thailand cargo service, it seeks an exemption to the extent necessary to extend its proposed startup date to December 31, 1998, for the remaining five frequencies to December 31, 1999. UPS indicated that should economic conditions in Thailand improve before that date, it would commence service sooner.

Applicant rep.: David L. Vaughan, 202-955-9864 DOT analyst: Sylvia Moore, 202-366-6519

DISPOSITION

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

The above action was effective when taken: November 13, 1998, through December 31, 1999

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

Conditions: The 90-day dormancy period will begin December 31, 1999, UPS' proposed new startup date for its five U.S.-Thailand all-cargo frequencies, or the date on which UPS begins service with these frequencies, whichever occurs earlier.

(See Reverse Side)

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; and (2) grant of the exemption was consistent with the public interest. 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.

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<http://dms.dot.gov/general/orders/aviation>*