



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

Issued by the Department of Transportation on November 23, 1998

**NOTICE OF ACTION TAKEN -- DOCKET OST 98-4579**

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

**Scheduled foreign air transportation of property and mail between a point or points in the United States, on the one hand, and a point or points in the Dominican Republic and Costa Rica, on the other, via intermediate points and to points beyond with full traffic rights between all points on the route. UPS initially intends to use this authority to operate in the Orlando-Santo Domingo market and the West Palm Beach-San Jose market.**

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

DISPOSITION

**XX** Granted (see below)

The above action was effective when taken: November 23, 1998, through November 23, 2000, or until 90 days after final Department action on UPS' corresponding certificate application in Docket OST-98-3955, whichever occurs earlier.

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

**XX** The authority granted is consistent with the aviation agreements between the United States and Costa Rica and between the United States and the Dominican Republic.<sup>1</sup>

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)

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**Conditions:** The authority granted to serve intermediate and beyond 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)

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<sup>1</sup> The U.S.-Dominican Republic aviation agreement limits U.S. carrier services to specific cities in the Dominican Republic and beyond the Dominican Republic to certain areas. All operations by UPS must be consistent with these provisions.

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; and (2) grant of the authority was consistent with the public interest. With regard to fuel, we further found that UPS has forecast that the proposed operations would result in a net annual increase in aircraft fuel consumption slightly in excess of 10 million gallons, and that, thus, approval would constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. However, we found that the service to be provided under this authority and the resulting public benefits outweigh any adverse effects that may be caused by the increased fuel consumption.

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>*