



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

Issued by the Department of Transportation on October 9, 1998

NOTICE OF ACTION TAKEN -- DOCKET OST-97-2939

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 **Polar Air Cargo, Inc.** filed **10/6/98** for:

XX Exemption from dormancy condition:

By Order 98-1-6 the Department granted Polar Air Cargo exemption authority to provide scheduled all-cargo service in the U.S.-South Africa market and allocated it three weekly all-cargo frequencies for this service. That award was subject to the condition that the frequency allocation 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, Polar's frequency allocation would expire July 14, 1998. On July 13, 1998, the Department granted Polar an exemption from the dormancy condition until October 12, 1998. Polar seeks an exemption from the 90-day dormancy condition until January 12, 1999. Polar states it has requested authority from all the countries on its U.S.-South Africa routing but has not yet received approval from the Government of Zimbabwe, and that under these circumstances it would not be commercially prudent to commence a new service. Polar anticipates starting service before expiration of the extended dormancy period but states that the extension through January 12, 1999, will enable it to proceed with its services should there be a last-minute delay in grant of the Zimbabwe permit.

Applicant rep.: **Jeffrey A. Manley (202) 879-5161** DOT analyst: **Sylvia Moore, 202-366-6519**

DISPOSITION

XX Granted (subject to conditions, see below)

The above action was effective when taken: **October 9, 1998,** through **January 12, 1999**

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

(See Reverse Side)

Conditions: The 90-day dormancy period will begin January 12, 1999, Polar's proposed startup date for its U.S.-South Africa service.

Remarks: We acted on this application without awaiting expiration of the 15-day answer period with the consent of all parties served.

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.

*An electronic version of this document is available on the World Wide Web at:
<http://dms.dot.gov/general/orders/aviation>*