



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

Issued by the Department of Transportation on March 19, 1999

**NOTICE OF ACTION TAKEN -- DOCKET OST-97-2122**

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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).

Applicant: **Western Express Air Lines Inc.**

Date Filed: January 5, 1999

Relief requested: Exemption from 49 U.S.C. § 41301 to conduct charter foreign air transportation of property and mail between Canada and the United States; and other all-cargo charters in accordance with Part 212 of the Department's rules.

If renewal, date and citation of last action: January 29, 1998, confirmed by Order 98-2-7

Applicant representative: David J. Oliver (604) 273-1500

Responsive pleadings: None filed

**DISPOSITION**

Action: Approved

Action date: March 19, 1999

Effective dates of authority granted: March 19, 1999-March 19, 2001

Basis for approval (bilateral agreement/reciprocity): 1995 Air Transport Agreement between the United States and Canada

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated:

X Standard exemption conditions (attached)

Special conditions/Partial grant/Denial basis/Remarks:

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

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Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) the applicant was qualified to perform the proposed operations; (2) immediate action was required and was consistent with Department policy; (3) grant of the authority 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/deferred/dismissed, 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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