



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

Served: September 8, 1999

NOTICE

NEW U.S.-ARGENTINA COMBINATION SERVICE OPPORTUNITIES

Docket OST-99-6210

On August 12, 1999, representatives from the United States and Argentina initialed a Memorandum of Consultations and a set of amendments to the U.S.-Argentina Air Transport Services Agreement, providing for an open-skies accord between the countries after a three-year transition period for combination services.¹ Under the terms of the transition, the number of U.S.-Argentina scheduled combination service frequencies that can be operated by U.S. carriers, beyond the 42 weekly flights that can be operated currently, can be increased in phases. Specifically, U.S. carriers may use seven additional frequencies per week beginning on September 1, 2000, and an additional seven each on June 1, 2001, and June 1, 2002. All frequency limitations between the U.S. and Argentina will be lifted by June of 2003, subject to certain conditions.² There are no limitations on the number of U.S. carriers that may be designated to serve the market.

During the first phase of the transitional agreement (September 1, 2000 to May 31, 2001), U.S. carriers may serve from any points in the U.S. via intermediate points to Buenos Aires, Cordoba, and one additional point in Argentina to be selected by the U.S., and beyond to Santiago, Chile, and Montevideo, Uruguay. Under the second phase (June 1, 2001 to May 31, 2002), U.S. carriers may serve from any points in the U.S. via intermediate points to Buenos Aires, Cordoba, and two additional points in Argentina to be selected by the U.S., and beyond to Santiago, Chile, and Montevideo, Uruguay. In addition, under the second phase (June 1, 2001 to May 31, 2002), U.S. carriers may serve five additional points in Argentina to be selected by the U.S. on a code share basis only.

¹Under the new accord, all limits on all-cargo services by U.S. and Argentine carriers are lifted immediately.

²August 12, 1999 Memorandum of Consultations and *ad referendum* amendments to Annex I of the 1985 U.S.-Argentina Air Transport Services Agreement (Attachment A, Annex I, Section 6).

By this notice, we request that all U.S. carriers interested in making use of the frequencies available under the first two phases, *i.e.* seven frequencies beginning on September 1, 2000, and seven on June 1, 2001, file applications as specified below with the Department no later than **September 22, 1999**. Answers to applications should be filed no later than **September 29, 1999**. Replies to answers should be filed no later than **October 6, 1999**.

To the extent that applicants need additional underlying authority to operate any of their proposed services, they should file certificate applications and request an allocation of frequencies for the market(s) to be served. Applicants that hold the requisite underlying authority for the markets they propose to serve need only file a request for an allocation of frequencies.

Except for procedural dates, certificate/frequency applications should conform to Part 302, Subpart Q of our regulations (14 CFR Part 302). All applications should include, at a minimum, the following information: (a) the market(s) to be served, including the full single-plane routing for the service and whether the carrier plans to display the code of an Argentine carrier on its flights in the market; (b) the number of frequencies requested by market, including whether the frequencies would be used on a year-round or seasonal basis (for seasonal service the inclusive dates of service should be provided); (c) type of aircraft to be used, including seating configuration (first, business, economy); and (d) the proposed startup date(s) for the services proposed. Applicants are also free to submit any additional information that they believe will help us in making our decision.

All applications should be filed with the Department of Transportation, Dockets, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590, in Docket **OST-99-6210**.³ In this regard, we note that some carriers have already filed applications to serve Argentina. Specifically, Continental Airlines and Delta Air Lines have filed applications in Dockets OST-99-6166 and OST-99-6108, respectively.⁴ We will consolidate these applications into the docket established in this notice. However, these carriers should, if necessary, update their applications with the information requested in this notice by the established application date, or file new applications, making clear whether such new applications supersede those that were previously filed, or are intended to supplement those that have already been filed. In addition, we note that Part 302 requires applicants to serve "a notice that an application has been filed" on other persons. Applicants must also "promptly provide those persons with copies of the application and supporting documents" upon request. To the extent that new applicants and,

³The original submission is to be unbound and without tabs on 8 1/2" x 11" white paper using dark ink (not green) to facilitate use of the Department's docket imaging system. In the alternative, filers may use the electronic submission capability available through the Dockets/DMS Internet site (<http://dms.dot.gov>) by following the instructions at the web site.

⁴Continental's application was accompanied by motion to consolidate the pending applications of Continental and Delta for U.S.-Argentina authority for comparative consideration. As discussed in the text, we are granting this motion.

thus, carriers not on the required service list, may file for authority, parties also should be prepared to provide such new applicants with a copy of their applications and supporting documents. Any further procedural steps, if necessary, will be established in a separate Department order.

We will authorize service of documents by facsimile and by electronic mail. Carriers that are interested in such service, however, should state if they want service by email and should provide interested parties with their fax number and/or email address.

We will serve this notice on all U.S. certificated carriers operating large aircraft, the National Air Carrier Association, the Air Transport Association, the U.S. Department of State (Office of Aviation Negotiations), the Federal Aviation Administration (AFS-200), and the Ambassador of Argentina in Washington, D.C.

By:

A. BRADLEY MIMS
Acting Assistant Secretary for
Aviation and International Affairs

(SEAL)

Dated: September 8, 1999

*An electronic version of this document is available on the World Wide Web at
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