



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

Issued by the Department of Transportation on November 10, 1999

NOTICE OF ACTION TAKEN -- DOCKET OST-97-3162

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 **10/28/99** for:

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

By Order 96-9-16 the Department issued Polar Air Cargo a certificate of public convenience and necessity to provide scheduled all-cargo service between a point or points in the United States and a point or points in Thailand (Route 705), and allocated it two weekly all-cargo frequencies for this service. By its terms, the certificate and frequency allocation would expire April 1, 1997, unless Polar commenced service by that date. Since then, the Department has granted extensions of the startup date for Polar's second frequency through December 31, 1999. (See Orders 97-5-6 and 98-1-6 and Notices of Action Taken dated June 15 and November 13, 1998.) Polar's first frequency automatically reverted to the Department after not being used for a period of 90 days. Polar seeks a further exemption to the extent necessary to extend its proposed startup date for the remaining frequency to March 30, 2000. Polar states that Thailand's increasingly adverse economic conditions have impeded Polar's ability to resume its Thailand services. Polar believes that it may be able to reenter the market in the upcoming year.

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

DISPOSITION

XX **Granted**

The above action was effective when taken: **November 10, 1999,** through **March 30, 2000**¹

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

Under the 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/reports/reports_aviation.asp*

¹ Polar's waiver from the dormancy condition is effective until March 30, 2000, or until the date on which Polar begins service with this frequency, whichever occurs earlier. Once the waiver ceases to be effective, the 90-day dormancy condition applies from that point forward.