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

Order 2000-1-19

Issued by the Department of Transportation
on the 24th day of January 2000

Served: January 26, 2000

Applications/Motions of

American Airlines, Inc.

American Trans Air, Inc.

Continental Airlines, Inc.

Delta Air Lines, Inc.

DHL Airways, Inc.

Gemini Air Cargo, Inc.

for certificates, exemptions or other authorities or relief
under 49 U.S.C. sections 41102 or 40109 and regulations
of the Department of Transportation.

Dockets OST-97-2944 - 7

OST-95-520 - 5
(48574)

OST-99-5392 - 5

OST-97-3289 - 47
OST-97-3218 - 12

OST-99-5463 - 3

OST-99-6330 - 5

ORDER DISMISSING APPLICATIONS

The captioned carriers have applied or petitioned for various forms of authority or relief under 49 U.S.C. sections 41102 or 40109 or regulations or orders of the Department, relating to the air transportation activities shown in the Appendix to this order. Each application or motion has been withdrawn or has otherwise become moot.

Accordingly, acting under authority assigned by the Department in its regulations, 14 CFR 385.13, we dismiss the applications and petitions and we grant the motions for leave to withdraw the applications, as shown in the Appendix to this order.

Persons entitled to petition for review of this order under the Department's regulations, 14 CFR 385.30, may file their petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Department of Transportation upon expiration of the above period unless within such period a petition for Department review is filed or the Department gives notice that it will review this order on its own motion.

The filing of a petition for review with respect to one of the dismissed items will not alter the effectiveness of this order with respect to the others.

By:

PAUL L. GRETCH
Director
Office of International Aviation

(SEAL)

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http://dms.dot.gov/reports/reports_aviation.asp*

APPENDIX

- OST-97-2944** **American Airlines, Inc.**, filed January 15, 1999. Renew exemption to engage in foreign air transportation of persons, property, and mail between (1) the terminal point Boston, Massachusetts, on the one hand, and the coterminal points La Paz, Loreto, and Mazatlan, Mexico, on the other; (2) the terminal point Chicago, Illinois, and the terminal point Torreon, Mexico; and (3) the terminal point Dallas/Ft. Worth, and the terminal point Loreto, Mexico. All of these services were being operated via Los Angeles and/or another U.S. gateway point under a code-share arrangement with Aero California S.A. de C.V. By Order 99-6-6, the Department granted American blanket U.S.-Mexico exemption authority to serve interior behind-gateway points on a code-share basis, via authorized gateways. Thus, American's request for renewal of its exemption authority on the above routings is no longer necessary (see Order 99-6-6). With this dismissal action, no other requests are pending in this docket.
- OST-95-520
(48574)** **American Trans Air, Inc.**, filed December 23, 1992. Certificate of public convenience and necessity to engage in scheduled foreign air transportation of persons, property, and mail between New York, New York, and Riga, Latvia, both nonstop and via the intermediate point Shannon, Ireland. By Order 99-3-27, the Department granted American Trans Air's request for certificate authority to serve the New York-Shannon/Dublin market in Docket OST-95-962. On June 14, 1999, Counsel for American Trans Air orally notified the Department that the carrier no longer wished to pursue its application in Docket OST-95-520.
- OST-99-5392** **Continental Airlines, Inc.**, filed March 18, 1999. Exemption to engage in scheduled foreign air transportation of persons, property, and mail between a point or points in the United States, and a point or points in Saudi Arabia, via Paris, pursuant to a code-share arrangement with Air France. On August 19, 1999, Continental filed a motion for leave to withdraw the application. We will grant the motion.
- OST-97-3289** **Delta Air Lines, Inc.**, filed January 19, 1999. Renew exemption to engage in scheduled foreign air transportation of persons, property, and mail between (1) Atlanta, Georgia, on the one hand, and San Jose del Cabo, Mazatlan, Ixtapa/Zihuatanejo, La Paz, Oaxaca, Culiacan, Chihuahua, Hermosillo, Durango, and Veracruz, Mexico, on the other; (2) Dallas/Ft. Worth, Texas, on the one hand, and Ixtapa/Zihuatanejo, La Paz, Oaxaca, Culiacan,

and Veracruz, Mexico, on the other; (3) Los Angeles, California, on the one hand, and Oaxaca, Culiacan, Chihuahua, and Veracruz, Mexico, on the other; and (4) New York, New York, on the one hand, and La Paz, Oaxaca, Culiacan, Chihuahua, and Veracruz, Mexico, on the other. Delta states that this service would be operated via Mexico City on flights operated by Aerovias de Mexico, S.A. de C.V. (Aeromexico), between Mexico City and each of the ten interior points listed above. By Order 99-6-6, the Department granted Delta blanket U.S.-Mexico exemption authority to serve between points in the United States and points within Mexico beyond Delta's authorized Mexican gateway points for transborder services, for the purpose of blind-sector code-sharing services operated between the Mexican gateway points and other points within Mexico on services operated by either Delta or Aeromexico. As Delta already holds the necessary underlying authority to serve the markets at issue here via Mexico City, Delta's request for renewal of its exemption authority to serve the named points beyond the Mexico City gateway is no longer necessary. With this dismissal action, no other requests are pending in this docket.

OST-97-3218

Delta Air Lines, Inc., filed September 11, 1998. Petition for reconsideration of Order 98-9-3 dismissing Delta's application for U.S.-Argentina certificate authority. At the time Delta filed its application there were no usable Argentina route rights available. On September 8, 1999, based on a new aviation agreement between the United States and Argentina, the Department issued a notice soliciting applications from U.S. carriers interested in using new U.S.-Argentina combination service opportunities. In response to that notice, Delta filed a new application for U.S.-Argentina certificate authority in Docket OST 99-6210. Therefore, the issues raised in the petition are moot. Delta's application in this docket also included requests for certificate authority to serve other countries. The balance of the application remains pending.

OST-99-5463

DHL Airways, Inc., filed March 30, 1999. Exemption to engage in scheduled foreign air transportation of property and mail between points in the United States and Bahrain via Brussels, Belgium, and to integrate this authority with its certificate authority on Route 692. On July 16, 1999, DHL filed a motion for leave to withdraw the application. We will grant the motion.

OST-99-6330

Gemini Air Cargo, Inc., filed October 6, 1999. Statement of authorization to display Qantas' designator code on Gemini's flights over the following routing: Los Angeles-Honolulu-Nadi-Sydney. By letter dated October 18, 1999, Counsel for Gemini withdrew the application.