



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

Issued by the Department of Transportation on January 24, 2000

**NOTICE OF ACTION TAKEN -- DOCKET OST-96-2018**

---

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 **Federal Express Corporation** filed **12/17/99** for:

**XX Waiver from dormancy condition:**

By Order 96-2-17 the Department granted Federal Express exemption authority to provide scheduled all-cargo service in the New York/Memphis-Moscow market and allocated it five 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. On November 16, 1999, Federal Express temporarily suspended its direct flight operations serving Moscow. Federal Express seeks a waiver from the dormancy condition for all five of its frequencies until November 1, 2000. Federal Express states that insufficient traffic demand does not support the five-day-a-week operations which are essential for air express services, and further states that it will resume its U.S.-Russia direct service as soon as traffic conditions warrant.

Applicant rep.: **Nathaniel P. Breed, Jr., 202-663-8078** DOT analyst: **Sylvia Moore, 202-366-6519**

**DISPOSITION**

**XX Granted**

The waiver from the dormancy condition was effective when taken: **January 24, 2000**, until **November 1, 2000**<sup>1</sup>

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

---

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 waiver was consistent with the public interest. To the extent not granted, we denied all requests in the references 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](http://dms.dot.gov/reports/reports_aviation.asp)*

---

<sup>1</sup> Federal Express' waiver from the dormancy condition is effective until November 1, 2000, or until the date on which Federal Express resumes service with these frequencies, whichever occurs earlier. Once the waiver ceases to be effective, the 90-day dormancy condition applies from that point forward.

