



**U.S. Department of
Transportation**
Office of the Secretary
of Transportation

NOTICE OF ACTION TAKEN

Docket OST-2000-8234

This serves as interim notice to the public of the action described below, taken orally by the Department official indicated; the confirming order or other decision document will be issued as soon as possible.

Applicant: **Antonov Design Bureau**

Date Filed: November 2, 2000

Relief requested: Exemption from 49 U.S.C. 40109(g) to operate one one-way emergency cabotage cargo charter flight between Newport News, VA, and San Diego, CA, on or about November 8, 2000, carrying one outsized sonar dome plus ancillary equipment, for National Air Cargo acting on behalf of the U.S. Navy. The applicant stated that the U.S. Navy required immediate shipment by air to repair the hull of the USS Antietam, a Navy cruiser currently in dry-dock in San Diego, in time to meet its operational commitments and to avoid severe disruption costs, that military aircraft is unavailable due to other worldwide commitments, that the cargo is too large for transportation on U.S. carrier aircraft, and that surface transportation is not feasible because of the time involved.

Applicant representative: Sheryl R. Israel 202-663-8312

Responsive pleadings: Antonov served its application on those U.S. carriers operating large all-cargo aircraft. Each carrier indicated that it did not have aircraft available to conduct the proposed operations, and that it had no comment or did not oppose grant of the requested authority to Antonov.

DISPOSITION

Action: Approved

Action date: November 6, 2000

Effective dates of authority granted: November 8-10, 2000

Basis for approval: We found that our action was consistent with all the relevant criteria of 49 U.S.C. 40109(g) for the grant of an exemption of this type, and that the grant of this authority was required in the public interest. Moreover, based on the representations of the U.S. carriers, we concluded that no U.S. carrier had aircraft available which could be used to conduct the operation at issue here. We also found that grant of this authority would prevent unreasonable hardship to the U.S. Navy.

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: Standard exemption conditions Foreign air carrier permit conditions

Special conditions: The applicant shall comply with an FAA-approved flight routing for the authorized flight and any requisite Department of Defense authorizations.

Action taken by: FRANCISCO J. SANCHEZ
Assistant Secretary for Aviation
and International Affairs