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Served: April 11, 2002

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

Joint Application of Delta Air Lines, Inc., Korean Air Lines Co., Ltd., Société Air France, Alitalia-Linee Aeree Italiane-S.p.A. and Czech Airlines for Approval of and Antitrust Immunity for Alliance Agreements under 49 U.S.C. §§ 41308 and 41309 (Docket OST-2002-11842)

NOTICE ESTABLISHING PROCEDURAL DATES

On March 13, 2002, Delta Air Lines, Inc. (Delta), Korean Air Lines Co., Ltd. (KAL), Société Air France (Air France), Alitalia-Linee Aeree Italiane-S.p.A. (Alitalia) and Czech Airlines (CSA), including their respective affiliates,[1] filed jointly for approval of and antitrust immunity for (1) a bilateral alliance cooperation agreement between Delta and KAL (Exhibit JA-1); (2) a multilateral alliance coordination agreement among the Joint Applicants (Exhibit JA-2); and (3) existing and future implementation agreements and/or transactions (hereafter the "Alliance Agreements"), together with exhibits.[2]

Concurrently, Delta filed additional evidentiary material supporting the application and a motion under 14 C.F.R. 302.12 (Rule 12) seeking confidential treatment.[3] On April 2, KAL filed additional evidentiary material supporting the application and a motion under 14 C.F.R. 302.12 (Rule 12) seeking confidential treatment.[4] Both parties maintain that these documents and information are proprietary, commercially sensitive, and confidential in nature which qualifies them for being withheld from public disclosure. They have asked that access to this material be limited to counsel and outside experts for interested parties.[5] [6]

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1 For purposes of this application, the term "respective affiliates" shall mean wholly owned subsidiaries of Delta, KAL, Air France, Alitalia, or CSA.

2 Delta-Air France-Alitalia-CSA also incorporated by reference their previous submission of alliance and other corporate documents in Docket OST-2001-10429. Joint Application at 33.

3 The Delta Motion is unopposed.

4 Answers to the KAL Motion are due on April 11.

5 See Delta Motion at 5 and KAL Motion at 3.

6 We will rule on the merits of the Rule 12 Motions by subsequent order. By Notice dated March 21, 2002, we granted immediate interim access to all documents covered by Delta's Motion, or to any subsequent materials that may be filed confidentially in this proceeding, to counsel and outside experts for interested parties, consistent with conditions agreed to by the Joint Applicants and imposed by the Department in similar recent cases. At the same time, we suspended the procedural schedule of this case, pending a determination of completeness.

We have now finished our initial review. We find that the application is now substantially complete, as supplemented by the evidentiary material already filed in Docket OST-2001-10429.[7] We will require that answers to the application be filed no later than 21 calendar days from the issue date of this Notice, and that replies be filed no later than 7 business days after the last day for filing an answer.

We shall serve this notice on all persons on the service list for this docket.

By:

READ C. VAN DE WATER
Assistant Secretary for Aviation
and International Affairs

Date: April 11, 2002

(SEAL)

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[7] We reserve the right to require the filing of additional information deemed relevant to the proceeding at any time.