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

Issued by the Department of Transportation on January 29, 2001

NOTICE OF ACTION TAKEN -- DOCKET OST-2000-7149-15

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 Northwest Airlines, Inc., filed 12/21/2000;

**XX** Allocation of U.S.-Ghana Frequencies.

Under the U.S.-Ghana agreement, U.S. carriers currently may operate 17 weekly third-country code-share frequencies between the United States and Ghana. <sup>1</sup> Northwest has been allocated some of these frequencies for its U.S.-Ghana services. <sup>2</sup>

Northwest now seeks an allocation of two additional Ghana frequencies to expand its code-share service via Amsterdam with its partner KLM.

American filed an answer to the application stating that it does not oppose Northwest's request, but it urges the Department to approve American's deferred application to provide U.S.-Ghana code-share service with its partner British Airways.

Applicant rep: Elliott M. Seiden (202) 842-3193, DOT Analyst: Gerald Caolo (202) 366-2406

**DISPOSITION**

**XX** Granted, (subject to conditions, see below).

The above action was effective when taken: January 29, 2001, and will remain in effect indefinitely, subject to the conditions described below.

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

(see next page)

<sup>1</sup> An additional five weekly frequencies become available on April 1, 2001.

<sup>2</sup> See Notice of Action Taken dated July 13, 2000, Docket OST-2000-7149. Three of the frequencies allocated for Northwest services by that action have since reverted automatically to the Department for reallocation under the dormancy conditions attached to Northwest's authority. In addition, by that same July 13, 2000 action, we granted United two weekly frequencies to serve the market via Frankfurt with its code-share partner, Lufthansa. United is currently using its allocated frequencies. We deferred action on American Airlines' request to serve this market with its proposed code-share partner, British Airways, pending Department action on the underlying code-share arrangement between American and British Airways in Docket OST-99-6507.

**XX The authority granted is consistent with the aviation agreement between the United States and Ghana.<sup>3</sup>**

Except to the extent exempted or waived, the authority is subject to the terms, conditions, and limitations indicated:

**XX Holder's certificates of public convenience and necessity**

**XX Statement of Authorization authorizing Northwest/KLM code-share operations dated May 21, 1999 and conditions therein**

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**Conditions:** Consistent with our standard practice, the frequency allocation granted is subject to the condition that it will expire automatically and the frequencies will revert automatically to the Department for reallocation if they are not used for a period of 90 days. As Northwest has proposed to expand its service on April 1, 2001, the 90-day dormancy period will begin on that date.

**Remarks:** As a result of our action here, Northwest holds seven Ghana frequencies and United holds two, meaning that eight frequencies remain available for U.S.-Ghana services. In addition, as said above, effective April 1, 2001, an additional five weekly frequencies become available for a total of thirteen weekly frequencies. As to American's comments, the American/British Airways code-share remains pending and we are not in a position to act on American's request for award of U.S.-Ghana frequencies operated with British Airways.

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Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; (2) grant of the authority was consistent with the public interest; and (3) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. 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/report\\_aviation.asp](http://dms.dot.gov/reports/report_aviation.asp)*

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<sup>3</sup> The agreement between the United States and Ghana is being provisionally applied on the basis of comity and reciprocity, pending entry into force of the agreement.