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

Issued by the Department of Transportation on January 28, 2002

NOTICE OF ACTION TAKEN -- DOCKET OST-96-1372- 17

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).

Applicant: AEROLINHAS BRASILEIRAS S.A. (ABSA)

Date Filed: January 17, 2002

Relief requested: Amend exemption from 49 USC section 41301 to permit the applicant to conduct, in addition to certain charter operations previously authorized in this Docket: scheduled, all-cargo services between any point or points in Brazil and the U.S. coterminal points New York/Atlanta/Miami/Orlando/Detroit/Houston/Chicago/Los Angeles/Washington, D.C./Baltimore/San Francisco/Boston/San Juan, via intermediate points.

If renewal, date and citation of last action: New authority.

Applicant representative(s): Celestino Pena, 305-381-6252

Responsive pleadings: None.

DISPOSITION

Action: Approved.

Action date: January 28, 2002

Effective dates of authority granted: January 28, 2002, through January 2, 2003 (coextensive with the duration of ABSA's exemption authority to conduct certain charter operations).

Basis for approval (bilateral agreement/reciprocity): United States-Brazil Air Transport Agreement (Agreement).

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

Special conditions/Remarks: The authority granted ABSA here to conduct certain scheduled services is subject to the terms, limitations and conditions of the U.S.-Brazil Agreement, in addition to our standard exemption conditions.

**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) our action was consistent with Department policy; (2) the applicant was qualified to perform its proposed operations; (3) grant of the authority was consistent with the public interest; and (4) 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/deferred/dismissed, 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.

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