



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

Issued by the Department of Transportation on March 22, 2001

**NOTICE OF ACTION TAKEN -- DOCKETS OST-2000-7750**

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 United Air Lines, Inc. filed 8/7/2000 for:

XX Exemption for two years under 49 U.S.C. §40109 to provide the following service:

**Scheduled foreign air transportation of persons, property and mail between any point or points in the United States, on the one hand, and Tirana, Albania; Tbilisi, Georgia; Yerevan, Armenia; Skopje and Ohrid, Macedonia; Split, Croatia; Kosice, Slovakia; Banja Luka and Mostar, Bosnia; Ljubljana, Slovenia; Male, Maldives; and Katmandu, Nepal, on the other, directly and via intermediate points and beyond to any point or points in third countries. United also requests authority to integrate its exemption here with all other United services authorized by existing certificates and exemptions granted by the Department, to the extent permitted by international agreements.**

**United intends to use this authority to operate service between the U.S. and the points named above via Vienna, Austria, under a code-share arrangement with Austrian Airlines and its affiliates: Lauda Air Luftfahrt AG and Tyrolean Airways, Tiroler Luftfahrt AG. United would not offer local fifth-freedom service between Vienna, Austria, and points in the third countries mentioned above.**

Applicant rep: Jeffrey A. Manley (202) 663-6670 DOT Analyst: Michael D. Bodman (202) 366-9667

**DISPOSITION**

XX Granted, subject to conditions (see below).<sup>1</sup>

The above action was effective when taken: March 22, 2001, through March 22, 2003.

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

XX The authority granted is consistent with the aviation agreement between the United States and Slovakia and the overall state of aviation relations between the United States, on the one hand, and Bosnia, Croatia, Macedonia, Slovenia, Albania, Armenia, Georgia, Maldives, and Nepal, on the other.

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

XX Holder's certificates of public convenience and necessity

XX Standard Exemption Conditions (attached)

XX Statement of Authorization dated March 22, 2001, authorizing United/Lauda/Tyrolean code-share operations, and conditions therein.

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<sup>1</sup>By separate notice in Docket OST-2000-7751 we granted the application of United, Lauda, and Tyrolean for a statement of authorization to code share.

**Conditions:** The route integration authority granted is subject to the condition that such operations are consistent with the applicable bilateral aviation agreements. Furthermore, (a) nothing in the award of the route integration authority requested should be construed as conferring upon United additional rights (including fifth-freedom intermediate and/or beyond rights) to serve markets where U.S. carrier entry is limited unless United first notifies the Department of United's intent to serve such a market and unless and until the Department has completed any necessary carrier selection procedures to determine which carrier(s) should be authorized to exercise such rights; and (b) should there be a request by any carrier to use the limited-entry route rights that are included in United's authority by virtue of the route integration authority granted here, but not being used, the holding of such authority by route integration will not be considered as providing any preference for United in a competitive carrier selection proceeding to determine which carrier(s) should be entitled to use the authority at issue.

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On the basis of data officially noticeable under Rule 24(g) of the Department's regulations, we found the applicant qualified to provide the services authorized.

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 exemption 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 order is available on the World Wide Web at  
[http://dms.dot.gov/reports/reports\\_aviation.asp](http://dms.dot.gov/reports/reports_aviation.asp)*

**U.S. CARRIER**  
**Standard Exemption Conditions**

In the conduct of operations authorized by the attached notice, the applicant(s) shall:

- (1) Hold at all times effective operating authority from the government of each country served;
- (2) Comply with applicable requirements concerning oversales contained in 14 CFR 250 (for scheduled operations, if authorized);
- (3) Comply with the requirements for reporting data contained in 14 CFR 241;
- (4) Comply with requirements for minimum insurance coverage, and for certifying that coverage to the Department, contained in 14 CFR 205;
- (5) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (6) Comply with the applicable requirements of the Federal Aviation Administration Regulations, including all FAA requirements concerning security; and
- (7) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department of Transportation, with all applicable orders and regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

The authority granted shall be effective only during the period when the holder is in compliance with the conditions imposed above.