



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

Issued by the Department of Transportation on March 6, 2001

**NOTICE OF ACTION TAKEN -- DOCKET OST 99-5443 - 4**

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 2/02/01 for:

**XX** Renewal of exemption for two years under 49 U.S.C. §40109 to provide the following service:

Scheduled foreign air transportation of mail between New York, New York (JFK), on the one hand, and Beijing and Shanghai, People's Republic of China (PRC), on the other hand. Northwest intends to operate this service under a code-share arrangement with Air China International Corp.

**XX** Amend exemption to:

Add authority to integrate the above-described authority with Northwest's other exemption and certificate authorities to the extent permissible under applicable law and governing bilateral agreements.

Applicant rep: Megan Rae Rosia (202) 842-3193 DOT Analyst: Linda L. Lundell (202) 366-2336

**DISPOSITION**

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

The action above was effective when taken: March 6, 2001, and will remain in effect through March 6, 2003, or until 90 days after final Department action on a corresponding certificate application, whichever occurs earlier.

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

**XX** Authority granted is consistent with the aviation agreement between the United States and the People's Republic of China.

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 April 8, 1999, approving the Northwest/Air China code-share operations, and conditions therein

**Conditions:** The route integration authority granted is subject to the condition that any service provided under this exemption shall be consistent with all applicable agreements between the United States and the foreign countries involved. Furthermore, (a) nothing in the award of the route integration authority requested should be construed as conferring upon Northwest rights (including fifth-freedom intermediate and/or beyond rights), to serve markets where U.S. carrier entry is limited unless Northwest notifies the Department of its 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 Northwest's authority by virtue of the route integration exemption granted here, but that are not then being used by Northwest, the holding of such authority by route integration will not be considered as providing any preference for Northwest in a comparative 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 application 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.

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