

Posted May 1, 2001
11:10 a.m.



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

UNITED STATES-FRANCE COMBINATION SERVICES

Docket OST-2001-9592 - /

NOTICE

Served: May 1, 2001

The 1998 Air Transport Agreement (Agreement) between the United States and France provides for expansion of transatlantic scheduled air services over a five-year transition period.¹ During this period, U.S. airlines designated for combination services collectively may operate up to 63 additional weekly frequencies in the U.S.-France market.² Pursuant to the Agreement, 14 additional frequencies become available to U.S. carriers in April 2002.³ In addition, one frequency previously allocated to Tower Air is currently available for allocation,⁴ and seven frequencies previously allocated to American by Order 98-11-19 will become available November 1, 2001.⁵

By this notice, we invite all U.S. carriers interested in making use of the frequencies for U.S.-France scheduled combination services described above to file applications with the Department for their proposed services no later than May 11, 2001. Answers to such applications should be filed by May 18, 2001. Replies should be filed by May 23, 2001.

Carriers that already hold the necessary underlying authority should file an application for allocation of the available frequencies. Carriers without the necessary underlying authority should file applications that include a request for exemption authority and a frequency allocation.

¹ Effective April 2003, there are no further frequency limits under the agreement on U.S. or French airline operations.

² Of these 63 frequencies, a total of 49 became available on a phased-in basis during the years 1998, 1999, 2000, and 2001. Those frequencies were allocated by Orders 98-5-8, 98-11-19, 99-9-10, and Notice of Action Taken, dated September 7, 2000.

³ References to April of a given year mean that opportunities will be available from the first day of the International Air Transport Association (IATA) summer traffic season, which is normally the last week of March.

⁴ See Notice of Action Taken, dated September 7, 2000, Docket OST-2000-7628.

⁵ See Letter of American Airlines to Director, Office of International Aviation, advising the Department that, effective November 1, 2001, American will cancel nonstop Los Angeles-Paris service. We have placed a copy of American's letter in Docket OST-98-4614.

Except for the filing dates, exemption applications should conform to Subpart C of Part 302 of the Department's regulations (14 CFR Part 302). All applications at a minimum should (a) specify the markets to be served; (b) the aircraft type and passenger capacity of the aircraft to be used and whether such aircraft are currently available in the carrier's fleet; (c) the proposed startup date for each service; (d) the number of weekly frequencies and the full routing of the flights to be operated; (e) whether the flights would be operated on a code-share basis with another airline, and if, so, which airline; and (f) evidence of the carrier's underlying economic authority, including route integration authority, if applicable. Applicants are also free to submit any additional information they believe will help us in making our decision.

All applications (exemption and/or frequency allocation) should be filed with the Department of Transportation, Dockets, Room PL-401, 400 Seventh Street SW, Washington DC 20590, in Docket OST-2001-9592.⁶ With respect to service of applications, carriers should adhere to the service requirements set forth in Subpart C of the Department's Procedural Regulations. To the extent that new applicants and, thus, carriers not on the required service list, may file for authority, parties also should be prepared to provide such new applicants with a copy of their applications and supporting documents.

We intend to allocate the available opportunities at issue based on the applications and responsive pleadings filed in response to this notice. Should comparative selection among applicants be necessary, we intend to make our decision using written, show-cause procedures in accordance with Part 302 of our regulations (14 CFR Part 302).

We will authorize service of documents by facsimile and by electronic mail. Carriers that are interested in such service, however, should state if they want service by email or by facsimile and should provide interested parties with their FAX numbers and/or email address.

We will serve this Notice on all certificated air carriers operating large aircraft, the Air Transport Association, the National Air Carrier Association, and the Air Carrier Association of America.

By:

PAUL L. GRETCH
Director
Office of International Aviation

(SEAL)

Dated: May 1, 2001

*An electronic version of this notice is available on the World Wide Web at
http://dms.dot.gov/reports/reports_aviation.asp*

⁶ The original submission is to be unbound and without tabs on 8½" x 11" white paper using dark ink (not green) to facilitate use of the Department's docket imaging system. In the alternative, filers may use the electronic submission capability available through the Dockets DMS Internet site (<http://dms.dot.gov>) by following the instructions on the web site.