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

Issued by the Department of Transportation November 2, 2001

NOTICE OF ACTION TAKEN -- DOCKETS OST-2001-10699, 10769, 10771

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).

Request of American Airlines, Continental Airlines, United Air Lines, Inc. filed 11/1/01 for:

XX Temporary blanket waiver of dormancy conditions for Winter 2001/2002 season:

American, Continental, and United seek temporary, blanket waivers of all dormancy conditions applicable to their limited-entry international route authorities for the 2001/2002 Winter Season, stating that the applicable 90-day dormancy period should begin to run on March 31, 2002, and extend through June 30, 2002.

XX Immediate Action on dormancy waiver for U.S.-Brazil service:

American, Continental, and United urge the Department to grant immediately dormancy waivers with respect to U.S.-Brazil authority through March 31, 2002. Delta, the fourth-designated carrier for U.S.-Brazil combination services, concurs with this request subject to simultaneous grant of its request in Docket OST-2001-10782 for temporary allocation of four unused U.S.-Brazil frequencies through March 31, 2002. All four carriers state that grant of this request would be without prejudice to the position taken by the carriers in the captioned dockets that the blanket waiver should extend through June 30, 2002.

Applicant reps.: Carl B. Nelson Jr. (American) (202) 296-5647
R. Bruce Keiner, Jr. (Continental) (202) 624-2615
Jeffrey A. Manley (United) (202) 663-6670

DOT analyst: Linda Senese (202) 366-2367

DISPOSITION

XX Granted, in part, (for Brazil services only, through March 31, 2002) (see remarks below)
XX Balance deferred (blanket dormancy request through June 30, 2002)
(See Reverse Side)

The above action was effective when taken: November 2, 2001, through March 31, 2002¹

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

Remarks: Under the U.S.-Brazil aviation agreement, only four U.S. carriers may be designated for U.S.-Brazil combination services. None objects to the requested U.S.-Brazil waiver. Based on the circumstances presented, we found that granting dormancy waivers to American, Continental, and United with respect to their U.S.-Brazil authority through March 31, 2002, is in the public interest. In a separate action in Docket OST-2001-10782, we have concurrently granted Delta a temporary allocation of four (4) unused U.S.-Brazil frequencies for Atlanta-Rio de Janeiro nonstop service.

Deferral: We will act separately on the balance of the carriers' requests for blanket dormancy waivers for all of their limited-entry services.

Under the authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; and (2) grant of the waiver was consistent with the public interest. To the extent not granted or deferred, we denied all requests in the referenced Docket. We may amend, modify, or revoke the action taken 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/reports_aviation.asp*

¹ The carriers' request for waiver from the dormancy condition is effective through March 31, 2002. If the carriers do not begin service by April 1, 2002, their frequency allocation expires automatically.