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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 October 26, 2001

NOTICE OF ACTION TAKEN -- DOCKET OST-2001-10534-3

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: **Alitalia Express S.p.A.**

Date Filed: August 30, 2001

Relief requested: Exemption from 49 U.S.C. 41301 to the extent necessary for underlying authority to permit Alitalia Express to display the airline designator code of Delta Air Lines on European regional routes served by Alitalia Express.

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

Applicant representative: Richard Mathias 202-298-8660

Responsive pleadings: None

DISPOSITION

Action: Approved

Action date: October 26, 2001

Effective dates of authority granted: October 26, 2001 - October 26, 2003

Basis for approval: Grant of the exemption is consistent with the provisions of the U.S.-Italy Air Transport Agreement. We find that reciprocity with Italy is adequate to support grant of the statement of authorization. We also find that the carrier, a wholly-owned subsidiary of Alitalia-Linee Aeree Italiane S.p.A., is substantially owned and effectively controlled by citizens of Italy, properly licensed, and financially and operationally qualified to conduct the proposed operations.¹ The FAA has advised us that it knows of no reason why the Department should act unfavorably on the carrier's application.

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

Standard exemption conditions (attached) Foreign air carrier permit conditions (Order - -)

Statement of Authorization for Alitalia Express and Delta Air Lines code-share operations dated October 26, 2001, and conditions therein.

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

We found that the applicant was qualified to perform its proposed operations.

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 authority 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/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.

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

¹ Alitalia Express requested waiver of the requirement of filing separate financial statements since it has the same financial fitness as the Alitalia group. We granted the request.