



**U.S. Department of
Transportation**
Office of the Secretary
of Transportation

NOTICE OF ACTION TAKEN

Docket OST-97-3260

This serves as interim notice to the public of the action described below, taken orally by the Department official indicated; the confirming order or other decision document will be issued as soon as possible.

Applicant: **Antonov Design Bureau**

Date Filed: December 17, 1997, as amended

Relief requested: Exemption from 49 U.S.C. 40109(g) to operate two one-way emergency cabotage cargo charter flights: (1) Wilmington-Windsor Locks-Seattle; and (2) Wilmington-Seattle; during the period between December 19-29, 1997, carrying a total of five outsized General Electric 90 engines and two outsized Pratt & Whitney engines, plus ancillary equipment, for installation and testing on Boeing's 777-300 aircraft.

Applicant representative: Sheryl R. Israel 202-663-8312

Responsive pleadings: Antonov served its application on those U.S. carriers operating large all-cargo aircraft. Each carrier indicated that it did not have aircraft available to conduct the proposed operations, and that it had no comment or did not oppose grant of the requested authority to Antonov.

DISPOSITION

Action: **APPROVED**

Action date: **DECEMBER 18, 1997**

Effective dates of authority granted: **DECEMBER 19-29, 1997**

Basis for approval: We found that our action was consistent with all the relevant criteria of 49 U.S.C. 40109(g) for the grant of an exemption of this type, and that the grant of this authority was required in the public interest. Moreover, based on the representations of the U.S. carriers, we concluded that no U.S. carrier had aircraft available which could be used to conduct the operation at issue here. We also found that grant of this authority would prevent unreasonable hardship to General Electric, Pratt & Whitney, and Boeing.

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

- Standard exemption conditions
- Foreign air carrier permit conditions

Special conditions: The applicant shall comply with an FAA-approved flight routing for the authorized flight.

Action taken by: Charles A. Hunnicutt
Assistant Secretary for Aviation
and International Affairs