



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

NOTICE OF ACTION TAKEN

DOCKET OST-95-662

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: **Japan Airlines Company, Ltd.** Date Filed: January 13, 1998

Relief requested: Exemption from 49 U.S.C. § 41301 to engage in scheduled foreign air transportation of persons, property and mail between Sendai, Japan, and Honolulu, Hawaii, at a level of seven round-trip flights per week for a period of not less than one year.

If renewal, date and citation of last action: September 3, 1997, Order 97-10-3

Applicant representative: Jeffrey N. Shane (202) 663-6000

Responsive Pleadings: On January 28, 1998, the State of Hawaii filed an answer in support of JAL's request. No other answers were filed.

DISPOSITION

Action: Approved

Action date: February 6, 1998

Effective dates of authority granted: February 6, 1998-February 6, 1999

Basis for approval (bilateral agreement/reciprocity): The 1998 Memorandum of Consultations between the United States and Japan.^{1/}

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: JAL's foreign air carrier permit (Order 70-8-66) and the 1998 MOC.

Special conditions/Partial grant/Denial basis/Remarks:

(over)

^{1/} On January 30, 1998, delegations of the United States and Japan signed a Memorandum of Consultations (MOC) that included attached understandings regarding the elements to be included in a Memorandum of Understanding. The delegations also agreed that the provisions of those understandings would be provisionally in effect upon signing of the MOC, pending conclusion of an interim agreement.

Action taken by:

Paul L. Gretch, Director
Office of International Aviation
under assigned authority (14 CFR 385)

(Petitions for review may be filed from now until 10 days after the service date of the confirming order/letter. Filing of a petition shall not stay the effectiveness of this action.)



**U.S. Department of
Transportation**

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NOTICE OF ACTION TAKEN

DOCKET OST-96-1317

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: **Japan Airlines Company, Ltd.**

Date Filed: April 26, 1996

Relief requested: Exemption from 49 U.S.C. § 41301 to engage in scheduled foreign air transportation of persons, property and mail between Hiroshima, Japan, and Honolulu, Hawaii, for a period of not less than one year.

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

Applicant representative: Jeffrey N. Shane (202) 663-6000

Responsive Pleadings: On May 13, 1996, United Airlines, Inc, Northwest Airlines, Inc. and the State of Hawaii responded to JAL's request. United asked that we defer action pending completion of talks between the United States and Japan. Northwest asked that we defer action until Japan gives final approval to Northwest to conduct scheduled combination services between the United States and Jakarta, Indonesia, via Japan. Hawaii supported JAL's request. JAL filed a reply. On February 4, 1998, JAL filed a motion for expedited action on its pending request.

DISPOSITION

Action: Approved

Action date: February 6, 1998

On January 30, 1998, the United States and Japan agreed to authorize new services in the U.S.-Japan market.^{1/} The MOC provides, among other things, for the services sought here by JAL, as well as those cited by Northwest. Against this background, and

^{1/} Delegations of the United States and Japan signed a Memorandum of Consultations (MOC) that included attached understandings regarding the elements to be included in a Memorandum of Understanding. The delegations also agreed that the provisions of those understandings would be provisionally in effect upon signing of the MOC, pending conclusion of an interim agreement.

taking into account that both sides agreed that the provisions of the MOC should be given immediate effect, we found that the public interest favors grant of the JAL request.^{2/}

Effective dates of authority granted: February 6, 1998-February 6, 1999

Basis for approval (bilateral agreement/reciprocity): The 1998 MOC between the United States and Japan.

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: JAL's foreign air carrier permit (Order 70-8-66) and the 1998 MOC.

Special conditions/Partial grant/Denial basis/Remarks:

Action taken by:

Paul L. Gretch, Director
Office of International Aviation
under assigned authority (14 CFR 385)

(Petitions for review may be filed from now until 10 days after the service date of the confirming order/letter. Filing of a petition shall not stay the effectiveness of this action.)

^{2/} Given the clear public interest factors favoring this result, we elected to act on JAL's request without considering its February 4 motion or awaiting answers thereto.

