



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

NOTICE OF ACTION TAKEN

Docket OST-98-3988

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: June 25, 1998

Relief requested: Exemption from 49 U.S.C. 40109(g) to operate one one-way emergency cabotage cargo charter flight between Palmdale, CA, and Seattle/Boeing Field, WA, carrying one outsized Joint Strike Fighter (JFS) wing skin tooling plus ancillary equipment, during the period June 26-29, 1998, on behalf of the Boeing Company for development of the JSF aircraft pursuant to its contract with the Department of Defense.

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: June 26, 1998

Effective dates of authority granted: June 26-29, 1998

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 Boeing and the Defense Department.

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