



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

NOTICE OF ACTION TAKEN

DOCKET OST-98-4495

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: September 23, 1998

Relief requested: Exemption pursuant to 49 U.S.C. section 40109(g) to operate one one-way emergency cabotage charter flight from Philadelphia, PA, to Aguadilla, Puerto Rico, on or about September 23/24, 1998, using its AN-124 aircraft on behalf of Taylor Aviation to transport oversized cargo consisting of two power generators and related equipment, and approximately 42,000 pounds of water. The cargo is required by B. Braun Medical, a medical supply manufacturing facility in Aguadilla, to repair damages to its facility caused by Hurricane Georges.

Applicant representative: Sheryl 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.

DISPOSITION

Action: Approved

Action date: September 23, 1998

Effective dates of authority granted: September 23 - 27, 1998

Basis for approval: We found that the application met all the relevant criteria of 49 U.S.C. section 40109(g) for the grant of an exemption of this type, and that the grant 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 Antonov's request would prevent undue hardship to Braun Medical by facilitating the rapid restoration of its manufacturing facility.

Except to the extent exempted/waived, this authority is subject to standard exemption conditions, and to the condition that Antonov comply with an FAA-approved flight routing for the authorized flight

Action taken by: **CHARLES A. HUNNICUTT**
Assistant Secretary for Aviation
and International Affairs