



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

NOTICE OF ACTION TAKEN

DOCKET OST-98-4512

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: **Volga-Dnepr J.S. Cargo Airline**

Date Filed: September 29, 1998

Relief requested: Exemption pursuant to 49 U.S.C. section 40109(g) to operate two one-way emergency cabotage charter flights from (1) Charleston, SC, to San Juan, PR; and (2) Chicago, IL, to San Juan, on or about September 29-30, 1998, using its AN-124 aircraft on behalf of C.F.A. Frankfort, Cargo City Sued Spedition Zentrum, and Merck, Inc., to transport cargo consisting of outsized trailer mobile generators to assist in hurricane relief activities of U.S. Army Corps of Engineers and Merck, Inc., following Hurricane Georges.

Applicant representative: Glenn Wicks 202-637-5683

Responsive pleadings: Volga-Dnepr 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 29, 1998

Effective dates of authority granted: September 29 - October 3, 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 Volga-Dnepr's request would prevent undue hardship to the citizens of Puerto Rico and would avoid imposing unreasonable hardship on emergency relief efforts by facilitating restoration of critical services.

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 - -)

Special conditions: Volga-Dnepr shall comply with an FAA-approved flight routing for the authorized flights, and obtain any requisite Department of Defense authorizations.

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