



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, DC

Issued by the Department of Transportation on November 13, 1998

NOTICE OF ACTION TAKEN -- DOCKET OST-96-1022

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Application of **Polar Air Cargo, Inc.** filed **10/27/98** for:

XX Waiver from dormancy condition:

By Order 95-3-30 the Department granted Polar Air Cargo exemption authority to provide scheduled all-cargo service in the U.S.-Argentina market and allocated it two weekly all-cargo frequencies for this service. By Order 97-3-6 the Department imposed its standard 90-day dormancy condition to the frequency allocation granted to Polar, stating that the frequencies will expire automatically and will revert to the Department for reallocation if they are not used for a period of 90 days. Polar temporarily discontinued its services to Argentina on August 23, 1998. Polar seeks a waiver from the 90-day dormancy condition so that the 90-day dormancy period would not begin until February 19, 1999. Polar states that it will resume service in the U.S.-Argentina market when it is able to offer a more competitive pattern of service.

Applicant rep.: **Jeffrey A. Manley (202) 879-5161** DOT analyst: **Sylvia Moore, 202-366-6519**

DISPOSITION

XX **Granted** (subject to conditions, see below)

The above action was effective when taken: **November 13, 1998,** through **February 19, 1999**

XX Action taken by: **Paul L. Gretch, Director**
Office of International Aviation

Conditions: The 90-day dormancy period will begin February 19, 1999, or the date on which Polar resumes service with these frequencies, whichever occurs earlier.

(See Reverse Side)

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) immediate action was required and was consistent with Department policy; and (2) grant of the waiver was consistent with the public interest. To the extent not granted, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:
<http://dms.dot.gov/general/orders/aviation>*