



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation on November 10, 1998

NOTICE OF ACTION TAKEN -- DOCKET OST-98-4601

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).

Applicant: **Queen Air, Aeronaves Queen, S.A.**

Date Filed: October 19, 1998

Relief requested: Exemption from 49 U.S.C. § 41301 to conduct scheduled foreign air transportation of persons, property and mail between Santo Domingo, Dominican Republic, and the coterminal points Miami, Florida; New York, New York; and San Juan, Puerto Rico; and to perform charters in accordance with Part 212 of the Department's rules. The applicant would conduct these services only by wet leasing aircraft from a duly authorized and properly supervised U.S. or foreign air carrier.

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

Applicant representative: Mark A. Dombroff/Thomas B. Almy (202) 625-3124

Responsive pleadings: None filed

DISPOSITION

Action: Approved

Action date: November 10, 1998

Effective dates of authority granted: November 10, 1998-November 10, 1999

Basis for approval (bilateral agreement/reciprocity): U.S.-Dominican Republic bilateral aviation agreement

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated:

X Standard exemption conditions (attached)

Special conditions/Partial grant/Denial basis/Remarks: Based on the record in this case, we found that Queen Air is financially and operationally qualified to perform the services authorized above. In addition, we found that Queen Air is substantially owned and effectively controlled by citizens of the Dominican Republic. Queen Air is properly licensed and designated by the Government of the Dominican Republic to perform the proposed services. By memorandum dated November 10, 1998, the FAA advised us that it knew of no reason why we should act unfavorably on Queen Air's application. Under the authority granted above, Queen Air may not conduct U.S. operations with its own aircraft and crews without further order of the Department.¹

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

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) the applicant was qualified to perform the proposed operations; (2) immediate action was required and was consistent with Department policy; (3) grant of the authority was consistent with the public interest; and (4) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, 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.asp>*

¹ The Dominican Republic is currently a Category 3 country under the FAA's International Aviation Safety Assessment Program.