



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

Issued by the Department of Transportation on February 5, 1999

**NOTICE OF ACTION TAKEN -- DOCKET OST-99-5076**

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additional confirming order will be issued in this matter).

**Japan Air Charter Co., Ltd.**

Date Filed: February 4, 1999

Relief requested: Exemption from 49 U.S.C. § 41301 to engage in charter foreign air transportation of persons, property and mail between Japan and the United States, and other charters subject to the Department's rules.

Date and citation of last action: December 1, 1997, confirmed by Order 98-2-10

Applicant representative: William Karas (202) 429-6223

Responsive pleadings: None filed

**DISPOSITION**

Action: Approved

Action date: February 5, 1999

(We acted on this application without awaiting expiration of the 15-day answer period with the consent of all parties served.)

Effective dates of authority granted: February 5, 1999-February 5, 2000

Basis for approval (bilateral agreement/reciprocity): 1998 Memorandum of Understanding between the United States and Japan (1998 MOU).

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

X Standard exemption conditions

Special conditions/Partial grant/Denial basis/Remarks: The authority granted above (1) is subject to the prior approval requirements for charters set forth in Order 92-3-24, and (2) must be performed consistent with existing agreements between the United States and Japan.

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

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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.

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