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

Issued by the Department of Transportation on August 26, 2002

NOTICE OF ACTION TAKEN -- DOCKET OST-2002-11620 - 4

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 American Airlines, Inc. filed 8/9/02 for:

**XX** Amended exemption from Order 2001-5-26; start-up date:

Under the terms of the 2000 aviation agreement between the U.S. and Colombia, U.S. carriers may provide services between any point or points in the United States and Barranquilla, Bogota, Cali, Cartagena and Medellin. The rights to provide air services to, from, and beyond Medellin are not effective until October 1, 2002. By Order 2001-5-26, the Department awarded American certificate authority and an allocation of seven weekly frequencies to operate services in the Miami-Medellin market beginning no earlier than October 1, 2002. These frequencies were subject to a dormancy condition that any frequencies not used for a period of 90 days (after they become available on October 1, 2002) will revert automatically to the Department for reallocation. On February 19, 2002, American sought relief from the condition in its certificate and frequency award so as to accelerate the startup of its Miami-Medellin service to June 1, 2002, citing a Diplomatic Note from the Government of Colombia. On March 7, 2002, the Department granted American an exemption to accelerate the start-up date for all seven of its frequencies to June 1, 2002. However, it has now become clear that under the terms of the Diplomatic Note, only five of the seven frequencies would become effective on June 1, 2002, while the remaining two would become effective on October 1, 2002. Under the terms of the March 7 Notice of Action Taken, the frequencies would expire August 30, 2002, if American did not begin service. American began Miami-Medellin service on June 1, 2002, with five weekly flights. American now seeks a waiver from dormancy condition for the other two frequencies, until October 1, 2002.

Applicant rep: Carl B. Nelson, Jr., 202-496-5647 DOT analyst: Sylvia Moore, 202-366-6519

DISPOSITION

**XX** Granted (see Remarks below)

The above action was effective when taken: August 26, 2002, through October 1, 2002

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

Except to the extent exempted or waived, this authority is subject to the terms, conditions, and limitations indicated: **XX** Holder's certificates of public convenience and necessity  
**XX** Standard exemption conditions (attached)

**Remarks:** American's waiver from the dormancy condition is effective through October 1, 2002, or until the date on which American begins service with each of the frequencies, whichever occurs earlier. The 90-day dormancy period will begin on October 1, 2002, the date on which American intends to begin daily service in the Miami-Medellin market.

(See Reverse Side)

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy, and (2) grant of the exemption 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 seven (7) 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 electric version of this document is available on the World Wide Web at:  
[http://dms.dot.gov/reports/reports\\_aviation.asp](http://dms.dot.gov/reports/reports_aviation.asp)*

## APPENDIX

### **U.S. CARRIER** **Standard Exemption Conditions**

In the conduct of operations authorized by the attached notice, the applicant(s) shall:

- (1) Hold at all times effective operating authority from the government of each country served;
- (2) Comply with applicable requirements concerning oversales contained in 14 CFR 250 (for scheduled operations, if authorized);
- (3) Comply with the requirements for reporting data contained in 14 CFR 241;
- (4) Comply with requirements for minimum insurance coverage, and for certifying that coverage to the Department, contained in 14 CFR 205;
- (5) Except as specifically exempted or otherwise provided for in a Department Order, comply with the requirements of 14 CFR 203, concerning waiver of Warsaw Convention liability limits and defenses;
- (6) Comply with the applicable requirements of the Federal Aviation Administration Regulations, and with all U.S. Government requirements concerning security; and
- (7) Comply with such other reasonable terms, conditions, and limitations required by the public interest as may be prescribed by the Department of Transportation, with all applicable orders and regulations of other U.S. agencies and courts, and with all applicable laws of the United States.

The authority granted shall be effective only during the period when the holder is in compliance with the conditions imposed above.