



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

**Joint Application of American Airlines, Inc. and Finnair Oyj
for Approval of and Antitrust Immunity for Alliance Agreements
under 49 U.S.C. §§ 41308 and 41309 (Docket OST-2002-12063)-5**

NOTICE ESTABLISHING PROCEDURAL DATES

On April 4, 2002, American Airlines and its affiliates¹ and Finnair Oyj filed a joint application requesting approval of and antitrust immunity for (1) a cooperative agreement (Exhibit JA-1), and (2) all agreements among the applicants that implement any part of the cooperative agreement or are entered into by the applicants under the cooperative agreement (hereafter the "Alliance Agreement"). On April 11, the applicants filed a joint Motion under 14 C.F.R. 302.12 (Rule 12) of our regulations seeking confidential treatment for supporting documents and information.² They maintain that the material filed under the Motion is proprietary, commercially sensitive, and confidential in nature which qualifies for being withheld from public disclosure. The applicants have asked that access to this material be limited to counsel and outside experts for interested parties.^{3 4}

We have now finished our initial review. We find that the application is now substantially complete.⁵ We will require that answers to the application be filed no later than 21 calendar days from the issue date of this Notice, and that replies be filed no later than 7 business days after the last day for filing an answer.

¹ Specifically, TWA Airlines LLC, American Eagle Airlines, Inc., and Executive Airlines, Inc. d/b/a American Eagle.

² Answers to the Motion were due on April 22. The Motion is unopposed.

³ See Motion at 4.

⁴ We will rule on the merits of the Rule 12 Motion by subsequent order. By Notice dated April 19, we granted immediate interim access to all documents covered by the applicants Motion, or to any subsequent materials that may be filed confidentially in this proceeding, to counsel and outside experts for interested parties, consistent with conditions agreed to by the Joint Applicants and imposed by the Department in similar recent cases. At the same time, we suspended the procedural schedule of this case, pending a determination of completeness.

⁵ We reserve the right to require the filing of additional information deemed relevant to the proceeding at any time.

We shall serve this notice on all persons on the service list for this docket.

By:

READ C. VAN DE WATER
Assistant Secretary for Aviation
and International Affairs

Date: May 7, 2002

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