



U.S. Department of
Transportation

Office of the Secretary
of Transportation

DOCUMENTARY SERVICE DIVISION
Washington, D.C. 20590

96-37

Weekly Summary of Orders and
Regulations

SEPTEMBER 3 - SEPTEMBER 6, 1996

Order	Docket	Summary	Date Action Taken
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(#) Published in the Federal Register.

96-7-34	OST-96-1103	<p>SKY TREK INTERNATIONAL AIRLINES, INC. - ERRATUM - The certificate of public convenience and necessity for foreign air charter for Sky Trek International Airlines, Inc., attached to Order 96-7-34, was issued bearing an effective date of July 24, 1996. An effective date has not yet been determined. A corrected certificated is attached. Served 9/6/96</p>	6-25-96
96-8-36	<p>OST-96-1519 OST-96-1495 OST-96-1464 OST-96-1453 OST-96-1397 OST-96-1249</p>	<p>APPLICATIONS OF VARIOUS FOREIGN AIR CARRIERS FOR EXEMPTIONS OR AUTHORITIES UNDER 49 U.S.C. SECTION 40109 AND THE ORDERS AND REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION: The Department confirms the actions described in the attached Notices of Action Taken, which granted certain foreign air carriers (1) exemptions from the provisions of sections 41301, and where necessary 41504, and/or other sections of Title 49 of the U.S. Code; and/or (2) relief or authorizations provided for under regulations or orders of the Department, to the applicants to perform the operations described in the attached Notices of Action Taken. Served 8/29/96</p>	8-23-96

Order	Docket	Summary	Date Action Taken
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96-8-37	OST-96-1385	<p>APPLICATION OF UNITED PARCEL SERVICE CO. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER 49 U.S.C. 41102 TO ENGAGE IN FOREIGN CHARTER AIR TRANSPORTATION OF PERSONS, PROPERTY AND MAIL:</p> <p>The Department issues a certificate of public convenience and necessity to United Parcel Service Co. to engage in foreign charter air transportation of person, property, and mail. Served 8/30/96</p>	8-2-96
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96-8-38	OST-95-418	<p>APPLICATION OF FLORIDA WEST INTERNATIONAL AIRWAYS, INC. FOR TRANSFER OF CERTIFICATE AND EXEMPTION AUTHORITY PURSUANT TO 49 U.S.C. 41105:</p> <p>The Department transfers to Florida West International Airways, Inc., the foreign scheduled cargo authority contained in the Certificate of Public Convenience and Necessity for Route 599, issued to Florida West Gateway, Inc. d/b/a Florida West Airlines, Inc., by Order 91-4-44. Cancels the foreign charter certificate currently issued to Florida West Gateway, Inc. d/b/a Florida West Airlines, Inc., by Order 88-4-74. Served 8-30-96</p>	8-6-96
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96-8-39	OST-95-314 OST-95-716 OST-96-1534 OST-96-1491 OST-96-1605 OST-96-1502 OST-96-1300 OST-96-1510 OST-96-1481 OST-96-1441 OST-96-1603 OST-96-1590 OST-96-1428 50318	APPLICATIONS OF ALASKA AIRLINES, INC., AMERICA WEST AIRLINES, INC., AMERICAN INTERNATIONAL AIRWAYS, INC., AMERICAN TRANS AIR, INC., CONTINENTAL AIRLINES, INC., DELTA AIR LINES, INC., FINE AIRLINES, INC., NORTHWEST AIRLINES, INC., POLAR AIR CARGO, INC. QANTAS AIRWAYS, INC., AND USAIR FOR EXEMPTION OR AUTHORITIES UNDER 49 U.S.C. SECTION 40109 AND THE ORDERS AND REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION: The Department confirms the actions described in the attached Notices of Action Taken, which granted certain U.S. air carriers (1) exemptions from the provisions of sections 41101, and where necessary 41504, or as noted in the attached notice, other sections of Title 49 of the U.S.C.; or (2) relief or authorizations provided for under regulations or orders of the Department, to the applicants to perform operations described in the attached Notices of Action Taken. Served 9-4-96	8-28-96
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Intervening numbers appeared on a previous summary.

96-8-44	OST-96-1167 45399	ESSENTIAL AIR SERVICE AT FORT LEONARD WOOD, MISSOURI UNDER 49 U.S.C. 41731 ET SEQ.: The Department requires Trans States Airlines, Inc., d/b/a Trans World Express, to maintain essential air service at Fort Leonard Wood, Missouri, as set forth in Appendix C of Order 96-4-8, for an additional 30-day	8-29-96
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period through October 3, 1996, or until a carrier capable of providing reliable replacement service actually begins service, whichever occurs first.
Served 9/5/96

96-8-45	OST-96-1548	<p>APPLICATION OF VALUJET AIRLINES, INC. FOR A REDETERMINATION OF ITS FITNESS AND AN EXEMPTION FROM THE 45-DAY NOTICE REQUIREMENTS OF 14 CFR 204.7: The Department tentatively finds Valujet Airlines, Inc. (Valujet) fit to resume its certificated air carrier operations; Makes the tentative determination on the airline's fitness, and has reviewed the airline's experience, management, finances and operating plans. The Federal Aviation Administration (FAA), which has granted Valujet Part 121 certificate authority, has conducted an intensive review into the carrier's operating and maintenance programs and its safety procedures. The FAA has also obtained Valujet's commitment that the airline will not expand its fleet above fifteen aircraft without further review and approval by the FAA. On the basis of this commitment and the reviews by the FAA and the Department, have tentatively decided that ValuJet satisfies the statutory fitness requirements. Issues a final decision on Valujet's application for authority to resume operations. Objections due September 5, 1996. Answers to Objections September 9, 1996. # Served 8/29/96</p>	8-29-96
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96-8-46	OST-95-234 OST-95-450 OST-95-537 OST-95-911 OST-96-1256 OST-96-1320 OST-96-1345 OST-96-1365 OST-96-1380 OST-96-1381 OST-96-1484	<p>APPLICATIONS OF VARIOUS FOREIGN AIR CARRIERS FOR EXEMPTIONS OR AUTHORITIES UNDER 49 U.S.C. SECTION 40109 AND THE ORDERS AND REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION: The Department confirms the actions described in the attached Notices of Action Taken, which granted certain foreign air carriers (1) exemptions from the provisions of sections 41301, and where necessary 41504, and/or other sections of Title 49 of the U.S. Code; and/or (2) relief or authorizations provided for under regulations or orders of the Department, to the applicants to perform operations described in the attached Notices of Action Taken.</p> <p>Served 9/5/96</p>	8-29-96
96-8-48	OST-96-1672	<p>IN THE MATTER OF U.S.-RUSSIA COMBINATION SERVICE FREQUENCY ALLOCATION:</p> <p>The Department proposes to formalize allocation of the available frequencies for U.S.-Russia services and to subject those frequencies to the standard dormancy conditions.</p> <p>The Department also puts all U.S. carriers on notice that no additional frequencies can be operated in the U.S.-Russia market without a specific frequency allocation from the Department. Objection due 9/16/96 and</p>	8-30-96

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Answer to Objections 9/23/96.
Served 9-5-96

96-9-1	OST-96-1579 OST-96-1606 OST-96-1610	AMERICAN AIRLINES, INC. FOR EXEMPTION UNDER 49 U.S.C. SECTION 40109 AND ALLOCATION OF FREQUENCIES (CHICAGO-VANCOUVER AND DALLAS/FT. WORTH-VANCOUVER): continued.....	9-3-96
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96-9-1	OST-96-1579 OST-96-1606 OST-96-1610	continued..... APPLICATION OF NORTHWEST AIRLINES, INC. FOR AN EXEMPTION UNDER 49 U.S.C. SECTION 40109 AND AMENDMENT OF ALLOCATION OF FREQUENCIES (LOS ANGELES-VANCOUVER) AND APPLICATION OF UNITED AIR LINES, INC. FOR ALLOCATION OF U.S.-VANCOUVER SECOND YEAR SERVICE OPPORTUNITY (LOS ANGELES-VANCOUVER AND SAN FRANCISCO-VANCOUVER): The Department denies American Airlines, Inc.'s application for authority to provide Chicago-Vancouver services and its request for allocation of a frequency from Northwest Airlines; (2) grants Northwest Airlines an exemption to provide scheduled combination service between Los Angeles, California, and Vancouver, Canada, on flights operated by Alaska Airlines, Inc.; (3) amends Order 96-2-49 to authorize Northwest to shift its two second year U.S.-Vancouver frequencies from the Minneapolis-Vancouver and Detroit-Vancouver markets to the Los Angeles-Vancouver market; and (4) grants United Air Lines, Inc.'s motion to withdraw its captioned application. Served 9-6-96	9- 3-96
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96-9-2	49626 47769	Served 9-6-96	9-3-96
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Order	Docket	Summary	Date Action Taken
	47770	<p>ESSENTIAL AIR SERVICE AT AUGUSTA/WATERVILLE, BAR HARBOR AND ROCKLAND, MAINE UNDER 49 U.S.C. 41731 <i>ET SEQ.</i>:</p> <p>The Department tentatively reselects Colgan Air, Inc., to provide subsidized essential air service at Augusta/Waterville, Bar Harbor and Rockland, Maine, for the two-year period beginning October 1, 1996, at an annual subsidy rate of \$990,239, and providing for objections or competing proposals from other interested carriers.</p>	
96-9-3	OST-96-1608 R-1 & R-2	<p>Objections due September 26, 1996. Served 9/6/96</p>	9-5-96
96-9-4	OST-96-1597	<p>The Department approves and grants antitrust immunity to the IATA agreement, subject, where applicable, to conditions previously imposed which increases cargo rates and related charges (except add-ons) from Hungary to points throughout the world, including U.S. points, by five percent to help offset the continued depreciation of the Hungarian forint. Served 9/11/96</p>	9-5-96
96-9-5	OST-96-1613 R-1 - R-6	<p>The Department approves and grants antitrust immunity to the IATA agreement contained in Docket OST-96-1597, as set forth in finding paragraph one to this order, subject, where applicable, to conditions previously imposed, relating to passenger fares. Served 9-11-96</p>	9-5-96
96-9-6	OST-96-1583	<p>The Department approves and grants antitrust immunity to the IATA agreement contained in Docket OST-96-1613, as set forth in finding paragraph one to this order, subject, where applicable, to conditions previously imposed, relating to passenger fare matters.</p>	9-5-96

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Served 9-11-96

The Department approves and grants antitrust immunity to the IATA agreement contained in Docket OST-96-1583, as set forth in finding paragraph one to this order, subject, where applicable, to conditions previously imposed, relating to U.S.-Japan passenger fares.

Served 9-11-96

The motion of ValuJet for reconsideration of the earlier decision on its motion for confidential treatment is granted; on reconsideration, in addition to other items of information for which confidentiality has already been or is being granted, the Department grants confidentiality to the Appendix to this order. The Motion of ValuJet for reconsideration of the Motion of ValuJet for confidential treatment is granted. Served 9/6/96
9- 3-96

96-9-7 OST-96-1247

ESSENTIAL AIR SERVICE AT STERLING/ROCK FALLS, ILLINOIS UNDER 49 U.S.C. 41731 ET SEQ.:

The Department requires Great Lakes Aviation, Ltd., d/b/a United Express, to maintain essential air service at Sterling/Rock Falls, Illinois, as set forth in Appendix C of Order 96-6-16, for an additional 30-day period through October 7, 1996, or until a carrier capable of providing reliable replacement service actually begins service, whichever is first.

Served 9-11-96

96-9-8 OST-96-1548

APPLICATION OF VALUJET AIRLINES, INC. FOR A REDETERMINATION OF ITS FITNESS AND AN EXEMPTION FROM THE 45-DAY NOTICE REQUIREMENTS OF 14 CFR 204.7:

The motion of the Association of Flight Attendants to file an otherwise unauthorized document is denied, as is every motion in response, rejoinder, etc.

The motion of Valujet for reconsideration of the earlier decision on its motion for confidential treatment is granted; on reconsideration, in addition to other items of

9-3-96

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The motion of Valujet for reconsideration of the earlier decision on its motion for confidential treatment is granted; on reconsideration, in addition to other items of information for which confidentiality has already been or is being granted, grants confidentiality to the items listed in the Appendix to this order;
The Motion of Valujet of August 20 and 23, 1996 for confidential treatment are granted.
Served 9/6/96

96-9-9	Undoc'd	<p>United Air Lines, Inc. - Violations of 49 U.S.C. Section 41712 and 14 CFR PART 399: CONSENT ORDER This consent order concerns violations of 49 U.S.C Section 41712 and the advertising requirements in 14 CFR 399.84 by United Air Lines, Inc. ("United"). This order directs United to cease and desist from future violations and to pay compromise civil penalties of \$25,000. Served 9-6-96</p>	9-6-96
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ORDERS NOT RELEASED AS OF
SEPTEMBER 6, 1996:
96-9-10, 96-9-11, 96-9-12

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