



Office of the Secretary
of Transportation

U.S. DEPARTMENT OF TRANSPORTATION
DOCKETS
Washington, D.C. 20590

98-14

Weekly Summary of Orders and
Regulations

MARCH 30, 1998 – APRIL 3, 1998

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

98-3-23	OST-95-324 OST-95-746 OST-95-791 OST-95-804 OST-95-806 OST-95-980 OST-95-945 OST-96-1007 OST-96-1687 OST-97-3074 OST-97-3099 OST-97-3138 OST-97-3210 OST-98-3331 Undocketed	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 the referenced 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 March 31, 1998	3-25-98
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Intervening numbers have not been released

98-3-26	OST-97-3017 OST-97-3113	APPLICATIONS OF SKY KING, INC., FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER 49 U.S.C. 41102 TO ENGAGE IN INTERSTATE AND FOREIGN CHARTER AIR TRANSPORTATION OF PERSONS, PROPERTY AND MAIL: The Department finds that Sky King, Inc., is fit, willing, and able to engage in interstate and foreign charter air transportation of persons, property, and mail. The Department	3-26-98
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Order	Docket	Summary	Date Action Taken
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98-3-26	OST-97-3017 OST-97-3113	issues a certificate of public convenience and necessity to Sky King, Inc., to engage in interstate air transportation in the form and Sky King, Inc., to submit to the Air Carrier Fitness Division a first year progress report subject to the Terms, Conditions, and Limitations attached. The Department directs within 45 days of the end of its first year of actual flight operations. Served April 1, 1998	3-26-98
98-3-27	OST-95-697	ESSENTIAL AIR SERVICE AT DICKINSON, NORTH DAKOTA UNDER 49 U.S.C. 41731 ET SEQ.: The Department makes their final action in Order 98-2-29 tentatively reselecting Great Lakes Aviation, Ltd., d/b/a United Express, to provide small community air service at Dickinson, North Dakota, for the period beginning on March 3, 1998, and continuing through March 31, 2000. The Department amends the rate per departure and arrival for Great Lakes' service at Dickinson, North Dakota, from \$218.39 to \$268.68, the weekly ceiling from \$5,241.36 to \$6,448.32, and the Department's 75 percent share of the weekly ceiling from \$3, 931.02 to \$4,836.24, as shown in Appendix D this order. Served April 1, 1998	3-26-98
98-3-28	OST-95-405 (Docket 44445)	INTER-ALASKA BUSH SERVICE MAIL RATES: The Department makes final the tentative findings and conclusions specified in order 98-1-25; the fair and reasonable final rates of compensation to be paid in their entirety by the Postmaster General pursuant to the provisions of 49 U.S.C. 41901 for the Continued.....	3-27-98

Order	Docket	Summary	Date Action Taken
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Continued.....

98-3-28	OST-95-405 (Docket 44445)	transportation of mail by aircraft having a payload of 7,500 pounds or less, the facilities used and useful therefor, and the service connected therewith, by each holder of a certificate authorizing the transportation of mail by aircraft within the State of Alaska for the period of April 1, 1998 through March 31, 1999, or until further order of the Department, whichever occurs later, are those specified in the attached Appendix A. Served April 1, 1998	3-27-98
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98-3-29	OST-98-3621 (Docket 42609)	ESSENTIAL AIR SERVICE AT CENTRAL AND CIRCLE ALASKA UNDER 49 U.S.C. 41731, ET SEQ. : The Department tentatively reselects Warbelow's Air Ventures to provide subsidized essential air service at Central and Circle, Alaska, for the two year period beginning April 1, 1998, through March 31, 2000, at an annual subsidy rate of \$31,839. Objections due April 16, 1998 Proposals due April 16, 1998 Served April 1, 1998	3-27-98
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Intervening number has not been released.

Order	Docket	Summary	Date Action Taken
98-3-31	OST-97-2058	<p>JOINT APPLICATION OF AMERICAN AIRLINES, INC., AND BRITISH AIRWAYS PLC UNDER 49 U.S.C. SECTIONS 41308 AND 41309 FOR APPROVAL OF AND ANTITRUST IMMUNITY FOR ALLIANCE AGREEMENT:</p> <p>The Department directs all interested parties to file answers to the joint application no later than 30 business days from the service date of this order, and replies shall be filed no later than 21 business days after the last day for filing answers. The Department grants, to the extent determined herein by allowing access to materials filed Dockets OST-96-1700 and OST-97-3285, Continental Airlines' July 18, 1997, motion to require the Joint Applicants to furnish supplemental information concerning their investments in Aerolineas Argentinas, Austral Lineas Aereas S.A., and Iberia, Lineas Aereas de Espana, S.A.</p> <p>Answers due May 11, 1998 Replies due June 9, 1998 Served March 30, 1998</p>	3-30-98
98-3-32	OST-98-3548 OST-98-3521 OST-98-3508 OST-98-3502 OST-98-3503 OST-98-3496 OST-98-3497 OST-98-3498	<p>NINETY-DAY NOTICES OF INTENT TO TERMINATE SERVICE AT CRESCENT CITY, CALIFORNIA, MERCED, CALIFORNIA, CORTEZ, COLORADO, DODGE CITY, KANSAS, GARDEN CITY, KANSAS, GREAT BEND, KANSAS, HAYS, KANSAS, LIBERAL, KANSAS/GUYMON, OKLAHOMA FILED BY MESA AIR GROUP UNDER 49 U.S.C. 41734 AND 14 CFR 323.3(A)(5):</p> <p>The Department prohibits Mesa Air Group, d/b/a United Express, from suspending service at Crescent City, California, at the end of its 90-day notice period, and requires it to maintain service at the community, as set</p> <p>Continued..... Continued.....</p>	3-30-98

Order	Docket	Summary	Date Action Taken
98-3-32	OST-98-3548 OST-98-3521 OST-98-3508 OST-98-3502 OST-98-3503 OST-98-3496 OST-98-3497 OST-98-3498	<p>forth in Appendix D, for the 30-day period through June 24, 1998, or until a carrier capable of providing reliable essential air service actually begins service, which occurs first. The Department prohibits Mesa Air Group, d/b/a United Express, from suspending service at Merced, California, at the end of its 90-day notice period, and require it to maintain service at the community, as set forth in Appendix D, for the 30-day period through June 18, 1998, or until a carrier capable of providing reliable essential air service actually begins service, which occurs first. The Department prohibits Mesa Air Group, d/b/a United Express, from suspending service at Cortez, Colorado, Dodge City, Garden City, Great Bend and Hays, Kansas, and Liberal, Kansas/Guymon, Oklahoma, at the end of its 90-day period, and require it to maintain service at the community, as set forth in Appendix D, for the 30-day period through June 17, 1998, or until a carrier capable of providing reliable essential air service actually begins service, which occurs first. The Department relies on SkyWest Airlines, Inc., d/b/a United Express, to provide essential air service at Crescent City and Merced, California, as described in Appendix B, from the date that it institutes service through December 31, 1999, at Crescent City and April 30, 1999, at Merced. Served March 30, 1998</p>	3-30-98

Order	Docket	Summary	Date Action Taken
98-3-33	47504 47505 OST-97-2223	<p>IN THE MATTER OF THE REVOCATION OF THE INTERSTATE AND FOREIGN CHARTER AIR TRANSPORTATION CERTIFICATES ISSUED UNDER 49 U.S.C. 41102 TO HCL AVIATION, INC., D/B/A AV ATLANTIC PURSUANT TO THE PROVISIONS OF SECTION 204.7 OF THE DEPARTMENT'S REGULATIONS; AND THE APPLICATION OF HCL AVIATION, INC., D/B/A AV ATLANTIC FOR AN EXEMPTION FROM THE 45-DAY NOTICE PROVISION OF SECTION 204.7 AND REDETERMINATION OF FITNESS:</p> <p>The Department revokes the certificate of public convenience and necessity issued to HCL Aviation, Inc., d/b/a Av Atlantic by Order 91-12-26, authorizing it to engage in interstate charter air transportation of persons, property and mail. The Department dismisses the application to resume operations filed on March 14, 1997, by HCL Aviation, Inc., d/b/a Av Atlantic in Docket OST-97-2223. Served March 31, 1998</p>	3-31-98
98-3-34	OST-98-3450 OST-98-3436 OST-95-741 OST-95-837 OST-96-990 OST-96-2029 OST-98-3492 OST-97-2146 OST-97-2189 OST-98-3404 OST-98-3478	<p>APPLICATIONS OF CONTINENTAL MICRONESIA, INC., FEDERAL EXPRESS CORPORATION, NORTHWEST AIRLINES, INC., POLAR AIR CARGO, INC., SPIRIT AIRLINES, INC., UNITED PARCEL SERVICE COMPANY:</p> <p>The Department confirms the actions described in the attached Notices of Action Taken, which granted the referenced U.S. Carriers (1) exemptions from the provisions of Section 41101 and where necessary 41504 or as noted in the attached notices, other</p> <p>Continued..... Continued.....</p>	3-31-98
98-3-34	OST-98-3450	sections of Title 49 U.S.C.; or (2) relief or	3-31-98

Order	Docket	Summary	Date Action Taken
	OST-98-3436 OST-95-741 OST-95-837 OST-96-990 OST-96-2029 OST-98-3492 OST-97-2146 OST-97-2189 OST-98-3404 OST-98-3478	authorizations as 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 April 6, 1998	
98-4-1	OST-98-3320 R-1 through R-35 OST-98-3352 R-1 through R-7	<p>The Department approves and grants antitrust immunity to the IATA agreements contained in these dockets, as set forth in finding paragraphs 1 and 2 of this order, subject to the conditions imposed therein and to previous conditions imposed.</p> <p>The Department does not find the resolutions in these dockets, as set forth in the Attachment to this order and which have direct application in foreign air transportation as defined by the Code, re adverse to the public interest or in violation of the Code, provided that (a) normal economy fares for U.S.-TC2 direct-service markets from the SFFL base levels for each market for not exceed the regulatory ceilings at the time of filing, and (b) each IATA carrier submits, at the time of filing and for comparative filed by each IATA carrier in tariffs with the Department pursuant to these resolutions shall purposes, its SFFL base fares, proposed direct-service normal economy fares differ which it files revised direct-service normal economy.</p> <p>Continued.....</p> <p>Continued.....</p>	4-1-98
98-4-1	OST-98-3320 R-1 through R-35	The Department does not find that the resolutions in Docket OST-98-3320, as set	4-1-98

Order	Docket	Summary	Date Action Taken
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OST-98-3352
R-1 through R-7

forth in Attachment B to this order and which have indirect application in foreign air transportation as defined by the Code, are adverse to the public interest or in violation of the Code relating to the agreements adopted by the Tariff Coordinating Conference of the International Air Transport Association relating to North Atlantic-Middle East passenger fares and conditions.
Served April 6, 1998

ORDERS NOT RELEASED DURING THE WEEK ENDING APRIL 3, 1998: 98-3-24, 98-3-25, 98-3-30