



Office of the Secretary
of Transportation

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

98-26

Weekly Summary of Orders and
Regulations

JUNE 22 - JUNE 26, 1998

Order	Docket	Summary	Date Action Taken
-------	--------	---------	-------------------

(#) Published in the Federal Register.

98-6-15	OST-98-3962 EAS-823 EAS-824 EAS-825 EAS-826	<p>ESSENTIAL AIR SERVICE DETERMINATION AT KWAJALEIN, MARSHALL ISLANDS; MAJURO, MARSHALL ISLANDS; POHNPEI, FEDERATED STATES OF MICRONESIA; TRUK, FEDERATED STATES OF MICRONESIA UNDER 49 U.S.C. 41731 <i>et seq.</i></p> <p>The Department is approving the request of Continental Micronesia, Inc., to operate an alternate service pattern to meet the essential air service requirements of Kwajalein and Majuro, Federated States of Micronesia (FSM), and Truk and Pohnpei, Marshall Island. Petitions for review of this order must be filed within 10 days after the date of service of this order.</p> <p>Served 6-23-98</p>	6-17-98
98-6-16	OST-96-1629 (37392)	<p>TRANSATLANTIC, TRANSPACIFIC AND LATIN AMERICAN SERVICE MAIL RATES INVESTIGATION</p> <p>The Department proposes to establish international service mail rates for the period July 1, 1998, through December 31, 1998. Therefore, all interested persons are directed to show cause why the Department should not adopt the foregoing tentative findings and conclusion and fix, determine and publish the proposed final rates specified in Appendices A-1 and A-2 to be effective from July 1 through December 31, 1998, or until further order of the Department, whichever occurs</p> <p>Continued.....</p>	6-17-98

Order	Docket	Summary	Date Action Taken
		Continued.....	
98-6-16	OST-96-1629 (37392)	later; and to show cause why the Department should not adopt the changes to its international mail ratemaking procedures as described. Interested persons having objections to the tentative findings and conclusions or to the rates proposed here, or to proposed procedural changes, are directed to file a notice of objection not later than ten (10) days after the date of service of this order, and if such notice is filed, to file a written answer with supporting documents, including the reasons why any of the proposed procedural changes should not be implemented, not later than 30 days after the date of service of this order. served 6-23-98	6-17-98
		Intervening numbers appeared in a previous issue.	
98-6-20	46757 OST-96-1563 49853 47437 46948 OST-95-794 46907 47328 47327 50335 OST-95-494 OST-96-1391 OST-95-773 OST-95-630 OST-96-1078	APPLICATIONS OF AIRBC, LIMITED; AIRVIAS S/A LINHAS AEREAS; AIR CANADA; AIR CHARTER (SAFA); AIR EUROPA LINEAS AEREAS, S.A.; AIR NOVA, INC.; ANTIGUA AND BARBUDA AIRWAYS INTERNATIONAL, LTD. D/B/A GRAND ATLANTIC AIRWAYS; BAY AIR CARGO, S.A.; EPELEM WINDWARD ISLAND N.V. INC.; HAITI TRANS AIR, S.A.; LADECO CARGO, S.A.; UZBEKISTAN AIRWAYS FOR PERMITS, EXEMPTIONS OR OTHER AUTHORITIES UNDER TITLE 49 OF THE UNITED STATES CODE The Department, acting under authority assigned in its Regulations, dismisses the applications described in the appendix to this order. Petitions for review of this order must be filed within 10 days after the date of service of this order. Served 6-24-98	6-18-98

Order	Docket	Summary	Date Action Taken
98-6-21	UNDOC'D	<p>CARLSON TRAVEL GROUP, INC. VIOLATIONS OF 49 U.S.C. SECTION 41712 AND 14 CFR PART 399</p> <p>The Department approves this settlement and the provisions of this order as being in the public interest and finds that Carlson Travel Group, Inc. violated 14 CFR 399.84 by causing to be published advertisements that failed to state the entire price to be paid by the customer to the seller for certain air transportation. By engaging in the conduct and violations described, Carlson Travel Group, Inc. also violated 49 U.S.C. Section 41712. Therefore, Carlson Travel Group, Inc., and all other entities owned and controlled by, or under common ownership and control with, Carlson Travel Group, Inc., and their successors and assignees, are ordered to cease and desist from violation of 49 U.S.C. Section 41712 and 14 CFR 399.84; and it is assessed \$40,000 in comprise of civil penalties that might otherwise be assessed for violations found in this order.</p> <p>Served 6-19-98</p>	6-19-98
98-6-22	OST-96-1200 OST-96-1201 OST-98-3435 OST-98-3441 OST-98-3491 OST-96-1131 OST-98-3477	<p>APPLICATIONS OF CONTINENTAL MICRONESIA, INC.; FEDERAL EXPRESS CORPORATION; NORTHWEST AIRLINES, INC.; POLAR AIR CARGO, INC.; UNITED AIR LINES, INC.; UNITED PARCEL SERVICE CO. FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 41102 OF TITLE 49 U.S.C. AND THE ORDERS AND REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION (U.S.-JAPAN)</p> <p>The Department amends or issues certificates of public convenience and necessity to applicants listed; and grants the motion of Federal Express Corporation for motion for</p> <p>Continued.....</p>	5-14-98

Order	Docket	Summary	Date Action Taken
Continued.....			
98-6-22	OST-96-1200 OST-96-1201 OST-98-3435 OST-98-3441 OST-98-3491 OST-96-1131 OST-98-3477	leave to file an otherwise unauthorized document. The Department will not entertain petitions for reconsideration of this order. Served 6-25-98	5-14-98
98-6-23	OST-97-2634 OST-97-2166 OST-97-2407	APPLICATIONS OF ICELANDAIR (FLUGLEIDIR HF.); PREMIAIR A/S; TURKISH AIRLINES (TURK HAVA YOLLARI A.O.) FOR FOREIGN AIR CARRIER PERMITS UNDER SECTION 41301 OF TITLE 49 OF THE U.S. CODE The Department issues a foreign air permit to each applicant; and grants all motions and requests to file documents of time, to submit additional or supplementary materials, and to withdraw pleadings. Served 6-25-98	6-10-98
98-6-24	UNDOC'D	KEYTOURS, INCORPORATED VIOLATIONS OF 49 U.S.C. SECTION 41712 AND 14 CFR PART 399 The Department approves this settlement and the provisions of this order as being in the public interest and finds that KeyTours, Inc. violated 14 CFR 399.84 by causing to be published advertisements that failed to state the entire price to be paid by the customer to the seller for certain air transportation. By engaging in the conduct and violations described, the Department finds that KeyTours, Inc. also violated 49 U.S.C. Section 41712. Therefore, KeyTours, Inc., and all other entities owned or controlled by or under common ownership with KeyTours, Inc., and their successors and assignees, are ordered to cease and desist from violation of	6-22-98
Continued.....			

Order	Docket	Summary	Date Action Taken
		Continued.....	
98-6-24	UNDOC'D	49 U.S.C. Section 41712 and 14 CFR 399.84; and it is assessed \$20,000 in comprise of civil penalties that might otherwise be assessed for violations found in this order. Served 6-22-98	6-22-98
98-6-25	43232	The Department revokes Order 85-7-45 effective June 22, 1998. Served 6-26-98	6-23-98
98-6-26	UNDOC'D	FITNESS DETERMINATION OF VINTAGE PROPS & JETS, INC. AS A COMMUTER AIR CARRIER UNDER 49 U.S.C. 41738 The Department, acting under authority assigned in its regulations, confirms its oral action of June 19, 1998, making the Commuter Air Carrier Authorization issued to Vintage Props & Jets, Inc., effective on June 20, 1998; and reissues to the airline, the Commuter Air Carrier Authorization issued to it by Order 98-4-10 to reflect its effective date. Petitions for review of this order may be filed within 10 days of the service date of this order. Served 6-24-98	6-24-98
98-6-27	25546 28266 36439	IN THE MATTER OF THE REVOCATION OF FOREIGN CHARTER AIR TRANSPORTATION CERTIFICATE ISSUED UNDER 49 U.S.C. 41102 TO RICH INTERNATIONAL AIRWAYS, INC. PURSUANT TO THE PROVISIONS OF 14 CFR 204.7 OF THE DEPARTMENT'S REGULATIONS The Department, acting under authority assigned in its Regulations, 14 CFR 385.12	5-12-98
		Continued.....	

Order	Docket	Summary	Date Action Taken
-------	--------	---------	-------------------

Continued.....

98-6-27	25546 28266 36439	<p>revokes the certificate of public convenience and necessity issued to Rich International Airways, Inc., by Order 80-1-89, authorizing it to engage in foreign charter air transportation of persons, property, and mail and revokes the certificate of public convenience and necessity issued to Rich International Airways, Inc., by order 78-7-107, authorizing it to engage in foreign scheduled all-cargo air transportation between the U.S. and the Bahamas and the Turks and Caicos Islands. Petitions for review of this order may be filed within 10 days of the service date of this order. Served 6-24-98</p>	5-12-98
---------	-------------------------	--	---------

Intervening number has not been issued

98-6-29	OST-98-3872	<p>IN THE MATTER OF U.S.-FRANCE COMBINATION SERVICE FREQUENCY ALLOCATION</p> <p>The Department makes final its tentative findings and conclusions set forth in Order 98-5-29 and allocates the previously unallocated 148 U.S.-France combination service frequencies to the following carriers:</p> <p>American Airlines: 35 weekly frequencies Continental Airlines: 21 weekly frequencies Delta Air Lines: 28 weekly frequencies Northwest Airlines: 7 weekly frequencies Tower Air: 8 weekly frequencies Trans World Airlines: 14 weekly frequencies United Air Lines: 21 weekly frequencies US Airways: 14 weekly frequencies</p> <p>The frequency allocations are subject to the condition that they will expire automatically and the frequencies will revert to the Department for reallocation if they are not used for a period of 90 days; the 90-day</p>	6-25-98
---------	-------------	--	---------

Continued.....

Order	Docket	Summary	Date Action Taken
-------	--------	---------	-------------------

Continued.....

98-6-29	OST-98-3872	<p>dormancy period will begin on the date of issuance of this order. The carriers allocated these flights are directed to notify the Department no later than seven calendar days from the date of service of this order as to which services they are currently authorized to operate are provided on a year-round or seasonal basis. Served 7-1-98</p>	6-26-98
---------	-------------	--	---------

Intervening number has not been issued

98-6-31	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 British Airways PLC to file in this docket, no later than three (3) business days from the date that this order is served, documents, information, and data as described in this order. Interested parties may review the confidential materials, described in this order, by submitting, in advance, an affidavit to the Department's Docket Facility stating that the person will preserve the confidentiality of the information and will only use it to participate in this proceeding. Further, each affidavit must specifically indicate that the person(s) are counsel or outside expert(s) for the interested parties in this case. Served 6-25-98</p>	6-25-98
---------	-------------	---	---------

Intervening number has not been issued.

Order	Docket	Summary	Date Action Taken
98-6-33	OST-97-2940 OST-97-2941	<p data-bbox="691 243 1287 499">APPLICATIONS OF PLANET AIRWAYS, 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</p> <p data-bbox="691 506 1287 1255">The Department tentatively concludes that Planet Airways, Inc., is a citizen of the United States, and is fit, willing, and able to provide interstate and foreign charter air transportation of persons, property, and mail, and should be issued certificates of public convenience and necessity for such operations. Therefore, all interested persons are directed to show cause why the Department should not issue an order making final the its tentative findings and conclusions stated and award certificates to Planet Airways, Inc., authorizing it to engage in interstate and foreign charter air transportation of persons, property, and mail, subject to the specimen Terms, Conditions, and Limitations. Such objections are to be filed with the Department's Dockets no later than 14 days after the service date of this order; answers to objections shall be filed no later than 7 days thereafter.</p> <p data-bbox="691 1262 889 1287">Served 6-26-98</p>	6-26-98
<p data-bbox="691 1331 1279 1398">ORDERS NOT RELEASED AS OF 6-26-98: 98-6-28, 98-6-30, AND 98-6-32</p>			