



Office of the Secretary
of Transportation

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

98-51

Weekly Summary of Orders and
Regulations

DECEMBER 21 – DECEMBER 25, 1998

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

98-12-24	OST-98-4607	<p>The Department approves and grants antitrust immunity to the IATA Agreement, subject, where applicable, to conditions previously imposed which establishes fares between Niigata, Japan and points in Hawaii via the North or Central Pacific at the level, and under the same conditions, as fares between Nagoya and points in Hawaii. The fares would become effective only upon commencement of direct service between Niigata and any point in Hawaii.</p> <p>Served: December 24, 1998</p>	12-22-98
98-12-25	OST-98-4542 R-1 through R-8 OST-98-4543 R-1 and R-2	<p>The Department approves and grants antitrust immunity to the IATA Agreement, subject, where applicable, to conditions previously imposed which in Docket OST-98-4542 reduces fares from Bahrain, Egypt, Oman, Qatar, Kuwait, and the United Arab Emirates to Area 1 North Atlantic markets by three or five percent to reflect disapproval by the respective governments of fare increases proposed in the last agreement. In Docket OST-98-4543 amends the construction rules for group and individual fares for ships' crews to remove a restriction that limited the construction of unspecified through fares to/from South Africa.</p> <p>Served: December 24, 1998</p>	12-22-98

Order	Docket	Summary	Date Action Taken
98-12-26	OST-96-1899 OST-96-1901 OST-96-1902 OST-96-1903	<p>ESSENTIAL AIR SERVICE AT KINGMAN AND PRESCOTT, ARIZONA; ALAMOGORDO/HOLLOMAN AIR FORCE BASE, NEW MEXICO; CLOVIS, NEW MEXICO; AND SILVER CITY/HURLEY/DEMING, NEW MEXICO UNDER 49 U.S.C. 41731 <i>et seq.</i>: The Department is tentatively reselecting Mesa Air Group to provide subsidized basic essential air service at Kingman and Prescott, Arizona, and Alamogordo/Holloman Air Force Base, Clovis, and Silver City/Hurley/Deming, New Mexico, for annual subsidy rates totaling \$3,441,053. Accordingly, the Department directs all interested persons to show cause within 20 days from the date of service of this order why it should not reselect Mesa Air Group to provide basic essential air service at Kingman and Prescott, Arizona, and Alamogordo/Holloman Air Force Base, Clovis, and Silver City/Hurley/Deming, New Mexico, for the period of October 1, 1998, through September 30, 2000. Served: December 24, 1998</p>	12-22-98
98-12-27	OST-98-4363	<p>LOVE FIELD SERVICE INTERPRETATION PROCEEDING: The Department hold that: (1) the City of Fort Worth may not enforce any commitment by the City of Dallas under the Bond Ordinance or other agreement to limit operations at Love Field authorized by federal law, and the proprietary powers of the City of Dallas do not allow it to restrict services at Love Field authorized by federal law; (2) the ability of the City of Dallas to limit the type of airline service operated at Love Field is preempted by the Wright and Shelby Amendments; (3) any airline operating aircraft with a passenger capacity of no more</p> <p>Continued..... Continued.....</p>	12-22-98

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98-12-27	OST-98-4363	<p>than 56 passengers and a gross aircraft weight of no more than 3000,000 pounds may operate service with any type of equipment and flights of any length from or to Love Field, notwithstanding any claim that such service violates any agreement between the Cities of Dallas and Fort Worth; (4) the Dallas-Fort Worth International Airport Board may not enforce any contract provision that allegedly bars an airline from operating interstate airline service at another airport in the Dallas-Fort Worth metropolitan area; and (5) any airline may offer through service between Love Field and any other point to passengers using a flight between Love Field and another point within Texas operated under subsection (a) of the Wright Amendment, as amended by the Shelby Amendment.</p> <p>Served: December 23, 1998</p>	12-22-98
98-12-28	OST-98-4363	<p>LOVE FIELD SERVICE</p> <p>INTERPRETATION PROCEEDING:</p> <p>The Department denies: (1) The motions of Fort Worth for dismissal; (2) the requests by Fort Worth for disclosure and abatement; (3) the motions for oral argument; and (4) the motion for mediation. And, it grants: (1) The motions by the City of Fort Worth and Legend Airlines to supplement the record; and (2) the motions for leave to file surreplies and other unauthorized documents.</p> <p>Served: December 23, 1998</p>	12-22-98
98-12-29	OST-98-3667	<p>APPLICATION OF LEGEND AIRLINES, INC. FOR A CERTIFICATE OF PUBLIC</p>	12-22-98

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CONVENIENCE AND NECESSITY
 UNDER 49 U.S.C. 41102 TO ENGAGE IN
 INTERSTATE SCHEDULED AIR
 TRANSPORTATION OF PERSONS,
 PROPERTY AND MAIL:

The Department finds that Legend Airlines, Inc., is fit willing, and able to engage in interstate air transportation of persons, property, and mail and therefore issues a certificate of public convenience and necessity to Legend Airlines, Inc., authorizing it to engage in interstate air transportation in the form and subject to Terms, Conditions, and Limitations.

Served: December 23, 1998