



Office of the Secretary
of Transportation

U.S. DEPARTMENT OF TRANSPORTATION
DOCKETS OPERATIONS AND MEDIA
MANAGEMENT
Washington, D.C. 20590

99-34

Weekly Summary of Orders and
Regulations
AUGUST 23 1999 - AUGUST 27, 1999 ()

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

#) Published in the Federal Register

99-8-16	OST-99-5062	<p>APPLICATION OF DAYSTAR AIRWAYS, LTD. D/B/A NEVIS EXPRESS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER 49 U.S.C. 41102 TO ENGAGE IN FOREIGN SCHEDULED AIR TRANSPORTATION OF PERSONS, PROPERTY, AND MAIL: The Department tentatively finds that Daystar Airways, Ltd. d/b/a Nevis Express is a citizen of the United States and is fit, willing, and able to provide foreign scheduled air transportation of persons, property , and mail using aircraft with no more than nine passenger seats and should be issued a certificate of public convenience and necessity for such operations. Interested persons having objections to the issuance of an order making final any of the proposed findings, conclusions, or the certificate award are directed to file them no later than 14 calendar days after the service date of this order; answers to objections shall be filed no later than 7 calendar days thereafter. Served: August 23, 1999</p>	8/19/99
99-8-17	OST-99-5988	<p>THE DEPARTMENT APPROVES AND GRANTS ANTITRUST IMMUNITY TO THE IATA AGREEMENT, SUBJECT, WHERE APPLICABLE, TO CONDITIONS PREVIOUSLY IMPOSED WHICH: Concerns proportional fares, established under the provisions of Resolution Continued.....</p>	8/19/99

Order	Docket	Summary	Date Action Taken
99-8-17	OST-99-5988	<p>Continued..... 015h, which are used to construct through fares between interior U.S. points and the United Kingdom. As part of an automated biannual review process under that resolution, the agreement revises add-on fare levels for approximately 360 U.S. cities to be used in constructions over a total of 22 U.S. gateways to reflect changes in U.S. domestic fares. Served: August 23, 1999</p>	8/19/99
99-8-18	OST-99-5870 R-1 thru R-14 OST-99-5902 R-1 thru R-3	<p>THE DEPARTMENT APPROVES AND GRANTS ANTITRUST IMMUNITY TO THE IATA AGREEMENTS, SUBJECT, WHERE APPLICABLE, TO CONDITIONS PREVIOUSLY IMPOSED WHICH: Are comprised of resolutions affecting travel between the United States and Austria/Belgium/Germany/Netherlands/Scandinavia /Switzerland (the "alliance countries") in Docket OST-99-5902, and similar resolutions between the United States and the rest of Europe (the "non-alliance countries") in Docket OST-99-5870. Served: August 23, 1999</p>	8/19/88
99-8-19	OST-98-4495 OST-98-4502 OST-98-4513 OST-98-4516 OST-98-4519 OST-98-4520 OST-98-4524 OST-98-4535 OST-98-4534 OST-98-4540 OST-98-4549 OST-98-4564 OST-98-4597 OST-98-4551 OST-98-4742	<p>APPLICATIONS OF ANTONOV DESIGN BUREAU: HEAVYLIFT-VOLGADNEPR LTD. FOR EXEMPTIONS UNDER 49 U.S.C. SECTION 40109(g): The Department confirms the oral actions granting the applications of the above-referenced foreign air carriers for exemption authority to conduct emergency cabotage flights to support hurricane relief operations in Puerto Rico. Served: August 24, 1999</p>	8/20/99

Order	Docket	Summary	Date Action Taken
99-8-20	OST-98-4428 R-1 THRU R-9 R-11, AND R-13 THRU R-31	<p>THE DEPARTMENT APPROVES AND GRANTS ANTITRUST IMMUNITY TO THE IATA AGREEMENT, SUBJECT, WHERE APPLICABLE, TO CONDITIONS PREVIOUSLY IMPOSED WHICH:</p> <p>Applicable on an area or worldwide basis, proposes a variety of amendments to resolutions applicable on an area or worldwide basis.</p> <p>Served: August 27, 1999</p>	8/24/99
99-8-21	OST-99-5008	<p>APPLICATION OF COMMUNITY AIR, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER 49 U.S.C. 41102 TO ENGAGE IN INTERSTATE SCHEDULED AIR TRANSPORTATION OF PERSONS, PROPERTY, AND MAIL:</p> <p>The Department, acting under authority assigned in its regulations, 14 CFR 385.12, dismisses, without prejudice, the application filed by Community Air, Inc., in Docket OST-99-5008 requesting a certificate authorizing interstate scheduled air transportation of persons, property, and mail, effective immediately.</p> <p>Served: August 27, 1999</p>	8/24/99
99-8-22	OST-99-6149	<p>THE DEPARTMENT APPROVES AND GRANTS ANTITRUST IMMUNITY TO THE IATA AGREEMENT, SUBJECT, WHERE APPLICABLE, TO CONDITIONS PREVIOUSLY IMPOSED WHICH: Would establish passenger fares for travel from Libya to Croatia.</p> <p>Served: August 27, 1999</p>	8/26/99

Order	Docket	Summary	Date Action Taken
99-8-23	UNDOC'D	<p>NORTHWEST AIRLINES VIOLATIONS OF 49 U.S.C. 41712 AND 14 CFR 399.84: The Department approves this settlement and the provisions of this order as being in the public interest and finds that Northwest Airlines has violated 14 CFR 399.84 by publishing deceptive advertisements that failed to comply with the Department's full-fare advertising requirement; by engaging in the conduct and violations described. Northwest has also violated 49 U.S.C. 41712; Northwest, and all other entities owned or controlled by or under common ownership with Northwest, and their successors and assignees, are ordered to cease and desist from violation of 49 U.S.C. 41712 and 14 CFR 399.84 and is assessed \$10,000 in compromise of civil penalties that might otherwise be assessed for the violations found. Served: August 26, 1999</p>	8/26/99
99-8-24	OST-99-5714	<p>UNITED STATES-FRANCE COMBINATION SERVICES PROCEEDING: The Department tentatively allocates seven weekly frequencies to Delta Air Lines, Inc. for its proposed New York-Lyon services and seven weekly frequencies to American Airlines, Inc. for its proposed services in the New York-Paris and/or the Dallas/Ft. Worth-Paris market. Served: August 27, 1999</p>	8/27/99
99-8-25	OST-99-6184	<p>ESSENTIAL AIR SERVICE PROVIDED BY GREAT LAKES AVIATION, LTD., d/b/a UNITED EXPRESS UNDER 49 U.S.C. 41731 et seq.: The Department directs Great Lakes Aviation, Ltd., d/b/a United Express, immediately to reinstate at least two round trips a day, six days a week at Mount Vernon, Illinois, Fairmount, Minnesota, Devils Lake and Jamestown, North Dakota, and Continued.....</p>	8/27/99

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

99-8-25	OST-99-6184	Continued..... Brookings, South Dakota, as prescribed by statute and by the Department's regulations, effective immediately. Served: August 27, 1999	8/27/99
---------	-------------	--	---------

RULES:

OST-99-6159	NONDISCRIMINATION ON THE BASIS OF DISABILITY IN AIR TRAVEL: NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS AND ACTIVITIES RECEIVING OR BENEFITING FROM FEDERAL FINANCIAL ASSISTANCE AGENCY: Office of the Secretary, DOT. ACTION: Notice of proposed rulemaking. SUMMARY: The Department is proposing to amend its rules implementing the Air Carrier Access Act of 1986 and section 504 of the Rehabilitation Act of 1973 concerning the provision of equipment to facilitate the boarding by individuals with disabilities on aircraft where level-entry boarding is not now available. The proposed rule would require air carriers and airports to work jointly to make lifts or other boarding devices available for aircraft, of whatever size, where level-entry loading bridges or existing lifts are not present. Dates: Comments are requested on or before November 24, 1999. Late-filed comments will be considered to the extent practicable.	8/26/99
-------------	---	---------

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

OST-95-179
OST-95-623
OST-96-177

PETITIONS INVOLVING THE EFFECTIVE DATES OF THE DISCLOSURE OF CODE-SHARING ARRANGEMENTS AND LONG-TERM WET LEASES FINAL RULE, AND THE DISCLOSURE OF CHANGE-OF-GAUGE SERVICES FINAL RULE.

8/27/99

AGENCY: Office of the Secretary (OST), Department of Transportation.

ACTION: Final rule and notice of effective and compliance dates.

SUMMARY: On March 15, 1999, we issued two new rules, the Disclosure of Code-Sharing Arrangements and Long-Term Wet Leases Rule, 14 CFR part 257 ("Code-Share Rule"), and the Disclosure of Change-of-Gauge Services Rule, 14 CFR part 258 ("Change-of-Gauge Rule"), to enable consumers to make informed choices about their air transportation and to travel without undue confusion. Both rules were to take effect on July 13. On July 9, in response to petitions to delay the rules' effective date, we issued a Final Rule and Notice of Proposed Disposition (see 64 FR 38111, July 15, 1999), delaying the effective date for both rules until August 25, 1999, and giving interested parties until July 30 to comment on our proposal to delay the compliance date of portions of both rules further, until March 15, 2000. We are adopting our proposal as a final rule, as clarified below, and amending both disclosure rules to reflect the new compliance dates.

Dates: : The effective date of 14 CFR part 257, published at 64 FR 12851-12852 (March 15, 1999), and new Sec. 257.6, published herein, is August 25, 1999. The date on which compliance with Sec. 257.5(a), Sec. 257.5(b) (insofar as compliance requires reprogramming by Computer Reservations Systems), and Sec. 257.5(c) is mandatory is March 15, 2000; compliance with all other sections is

Continued.....

Order	Docket	Summary	Date Action Taken
OST-95-179 OST-95-623 OST-96-177		Continued..... , mandatory as of August 25, 1999. The effective date of 14 CFR part 258, published at 64 FR 12860 (March 15, 1999), and new Sec. 258.6, published herein, is August 25, 1999. The date on which compliance with Sec. 258.5(c) is mandatory is March 15, 2000; compliance with all other sections is mandatory as of August 25, 1999.	8/27/99